

Illinois Nature Preserves Commission  
Minutes of the 205<sup>th</sup> Meeting  
(Approved at the 206<sup>th</sup> Meeting)

Henry N. Barkhausen Cache River Wetlands Center  
8885 State Route 37 South  
Cypress, IL 62923

Tuesday, May 4, 2010

205-1) Call to Order, Roll Call, and Introduction of Attendees

At 9:10 a.m., pursuant to the Call to Order of Chair Riddell, the meeting began.

Deborah Stone read the roll call.

Members present: Richard Keating, Mare Payne, Jill Riddell, Lauren Rosenthal, Bruce Ross-Shannon and John Schwegman.

Members absent: Jill Allread, Harry Drucker, and Ronald Flemal.

Others present: Steven Byers, Judy Faulkner Dempsey, Bob Edgin, Bryan Eubanks, Randy Heidorn, Tom Lerczak, Mitchell Lovgren, Angella Moorehouse, Kelly Neal, John Nelson, Debbie Newman, Debbie Reider, Kim Roman, Jenny Skufca, and Mary Kay Solecki, Illinois Nature Preserves Commission (INPC); Mark Alessi, Jeannie Barnes, Terry Esker, Mark Guetersloh, Bob Lindsay, Don McFall, Jody Shimp, Scott Simpson, and Penny Snyder, Office of Resource Conservation (ORC), Illinois Department of Natural Resources (IDNR); Jim Waycuilis, Land Management, IDNR; George Bellovics, Kim Gibson, and Robert Smith, Office of Realty and Environmental Planning (OREP), IDNR; Jim Payne, Grand Prairie Friends; Karen Tharp, The Nature Conservancy (TNC); Fran Harty, TNC, representing the proposed addition to Gensburg-Markham Prairie Nature Preserve and the addition to Carl N. Becker Savanna Nature Preserve; Tom Cubr, Lisa Haderlein, Karon Wenzel, and Steve Wenzel, Land Conservancy of McHenry County, representing the proposed Yonder Prairie Nature Preserve; Roberta Perry, representing Stonewood Farm Land and Water Reserve; Roger Beadles, representing Beadles Barrens Nature Preserve; Terri Treacy, Sierra Club and Illinois Audubon Society; Jim Pflaster and Dennis Valentine, Village of Valmeyer; Lorrie Maag, Admiral Parkway; Harold Crippen, Jr., and Martha Schwegman.

205-2) Adoption of Agenda

To accommodate the schedule of landowners present, it was recommended that Items 17 and 20 be presented after Item 7.

It was moved by Rosenthal, seconded by Payne, and carried that the Agenda be adopted as amended.

205-3) Approval of the Minutes of the Special Meeting, January 25, 2010, and the Minutes of the 204<sup>th</sup> Meeting, January 26, 2010

It was moved by Schwegman, seconded by Keating, and carried that the Minutes of the Special Meeting, January 25, 2010, be approved.

It was moved by Schwegman, seconded by Keating, and carried that the Minutes of the 204<sup>th</sup> Meeting, January 26, 2010, be approved.

Chair Riddell reported that at the 204<sup>th</sup> Meeting of the INPC, held on January 26, 2010, at Illinois Department of Natural Resources Headquarters, Springfield, legal protection for four tracts of land totaling 448.4 acres was approved by the Commission. Of these, one area totaling 3.3 acres is owned by private individuals or not-for-profit corporations who donated the value of the protection agreement to the public. This private land was permanently preserved without acquisition of the land by the State. The dollar value of the tracts of private land is \$6,600 based on conservative estimates of the fair market value of the land. Private lands protected without State acquisition at INPC's 204<sup>th</sup> Meeting was an addition to Sweet Fern Savanna Nature Preserve in Kankakee County. Protection of this land came about because the Commission has nine staff members in the field working with private land owners. There are now 348 dedicated nature preserves in 83 counties, totaling 47,713.818 acres and 156 land and water reserves in 65 counties, totaling 44,432.574 acres.

Chair Riddell stated that the Governor has re-appointed the following Commissioners for staggered terms: Ronald Flemal, Richard Keating, Mare Payne, Jill Riddell, and Lauren Rosenthal. She stated that the Commission was appreciative of the Governor's confidence in this Commission, and she looked forward to future appointments.

Chair Riddell thanked Judy Faulkner Dempsey, Martha Schwegman, and John Schwegman for their efforts in coordinating the field trip and dinner on May 4, 2010. She also thanked Jim Waycuilis, Site Superintendent for the Cache River site, for his hospitality.

205-4) 2010 Meeting Schedule

September 21, 2010    10:00 a.m.    Burpee Museum of Natural History, Rockford

Chair Riddell stated that she would like to ask for input for the 2011 meeting schedule. The Commission will hold three meetings next year. She asked that anyone who has a suggestion for a meeting site to contact the Commission. The 2011 meeting schedule will be discussed and approved at the September 21, 2010 meeting.

205-5) INPC Staff Report

Randy Heidorn presented the INPC staff report attached as Exhibit A.

Mr. Heidorn stated that in January, 2010 the Environmental Law & Policy Center hosted the Commission's photo exhibit. He stated that he wanted to recognize Jenny Skufca for her hard work on this project.

He stated that a Natural Areas Summit was held in Champaign. This was a planning effort associated with the Illinois Natural Areas Inventory (INAI) update to gather information from the various constituency groups about natural areas.

Mr. Heidorn stated that the Class III Special Resource Groundwater Petitions for nine INPC sites were submitted in May, 2009. This is an administrative process that requires a significant amount of data to be provided to the Illinois Environmental Protection Agency (IEPA). The comments had been received and addressed. The IEPA is going forward with the listing process. He stated that additional sites were in the process of being submitted.

He stated that the threat to Braidwood Dunes and Savanna Nature Preserve due to the Tritium release has been resolved. The resolution was explained in detail in the INPC staff report. The staff of the Forest Preserve District of Will County (FPDWC) and the INPC will continue to monitor the results of groundwater sampling for the duration of the remediation.

Mr. Heidorn highlighted the stewardship work done by the INPC staff. He stated that it was a good prescribed burn season.

Steven Byers updated the Commissioners on the Hack-ma-tack National Wildlife Refuge. The letter of support from the Commission was submitted to the US Fish and Wildlife Service (USFWS). He stated that there was a meeting on April 5, 2010 with the IDNR and the USFWS. Subsequent to that meeting, the USFWS announced that they would proceed with the feasibility study. The feasibility study will be one-two years in duration, and the biology of the region will be studied. The USFWS will also gauge the public support before making the announcement on whether to proceed with the designation of the site as a National Wildlife Refuge.

#### 205-6) IDNR Staff Report

Don McFall presented the IDNR staff report attached as Exhibit B.

Mr. McFall stated that May has been designated as Invasive Species Awareness Month in Illinois. The Illinois Invasive Species Council is taking the lead on that. It was hoped that this would be an annual event to increase awareness of the huge ecological problem. He stated that Jody Shimp led the charge on this and Mr. Shimp would be the contact for more information.

He stated that Natural Heritage staff conducted prescribed burns at 77 nature preserves and natural areas in Illinois covering over 5,000 acres.

Mr. McFall stated that due to the white nose syndrome impacting the bat populations in the United States, the IDNR has closed six state-owned and managed caves to public use. Five of the six caves are nature preserves or land and water reserves: Blackball Mines Nature Preserve in LaSalle County, Burton Cave Nature Preserve in Adams County, Brainerd Cave Land and Water Reserve in Jersey County, Fogelpole Cave Nature Preserve in Monroe County, and Guthrie Cave Land and Water Reserve in Union County. The closures would be in effect until further notice.

He stated that the State Wildlife Grant awards have been announced, and 13 projects were funded. One of the projects funded was the Cache River Coordinator.

205-7) Endangered Species Protection Board Report

Don McFall presented the ESPB report attached as Exhibit C. Mr. McFall stated that Anne Mankowski was unable to attend the meeting because she was asked to help coordinate the IDNR's upcoming Asian carp project.

Mr. McFall stated that two new members had been appointed the ESPB: Dr. Joyce Hofmann and Dr. Jeffery Walk. Dr. Hofmann is an expert on mammals, and Dr. Walk is an expert on birds.

He stated that the ESPB had been without a budget since 2002, and it was announced that the proposed IDNR budget for Fiscal Year (FY) 2011 included funds to fill the Executive Director staff position.

Chair Riddell stated that the registration agreements for today's land and water reserve presentations are signed and executed by the landowners as required by administrative rule.

205-8) Clay Co. B Flag Pond Land and Water Reserve, Registration  
(Actually presented after Item 20)

Mark Alessi presented a proposal on behalf of the IDNR to register 180 acres as Flag Pond Land and Water Reserve. Flag Pond is included on the INAI (#37) for its 35-acre grade A pond and is located in the Bottomlands Section of the Wabash Border Natural Division. The proposed land and water reserve also includes 135 acres of grade C wet floodplain forest and 6 acres of grade C dry-mesic upland forest. It supports 224 plant and 183 animal species including an uncommon reptile, which is protected by Illinois Administrative Rule Part 88070, and 24 other species listed as in greatest need of conservation by the Illinois Wildlife Action Plan (IWAP). Registration will be in perpetuity and will protect 95% of the INAI site. Allowable uses will include hiking, nature observation and study, scientific research, photography, hunting of squirrel, white-tailed deer (archery and firearm) and turkey (spring shotgun, fall shotgun and fall archery) and maintenance of an access lane. Registration will be subject to existing oil leases which have been active since 1978.

Mr. Alessi stated that there were two oil wells on the site. One was still usable, and the other well was not currently being used. He stated that there was a trail along the south portion of the property that led back to the oil wells. Management of the site would be done on ATVs. Also, there were two gravel parking lots on the site. There was a culvert on the site, and there was an attempt at one time to drain the site. There was no flow coming out of the property, and the drain was plugged with sticks and leaves.

Chair Riddell asked if contact has been made with the oil company to have the oil wells removed.

Bob Edgin stated that there has been contact with the producer; however, the lease was still in force. The casing for the well was there, but one of the pumping units was gone. Since the lease was still active, the producer has the right to start pumping again. The producer has the right for ingress and

egress, and they have the right to maintain the access road. The registration would be subject to that pre-existing easement. The tank batteries are on IDNR property, but they are not within the proposed land and water reserve.

It was moved by Rosenthal, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Flag Pond in Clay County as an Illinois land and water reserve, as described in the proposal presented under Item 8 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2067)

205-9) Jackson Co. – Stonewood Farm Land and Water Reserve, Registration

Judy Faulkner Dempsey presented a proposal on behalf of Roberta Perry to register Stonewood Farm as an Illinois land and water reserve. The proposed Stonewood Farm Land and Water Reserve is a natural area comprised of forest and mowed field, 135 acres in total. The site is located in the Greater Shawnee Hills Section of the Shawnee Natural Division. The site is significant because the area contains plentiful habitat for a state-threatened reptile and is within a mile of a known birthing rookery. The proposed land and water reserve is located 9 miles west of Murphysboro and north of State Highway 3 in Jackson County and is part of the newly designated SW Kinkaid Route 3 INAI site (#1733). The forest contains areas that are mature forest and other areas that are successional oak-hickory forest. The area is surrounded on all sides by Shawnee National Forest except for approximately 1,000 feet along the southern border which adjoins private land. The IWAP identifies a number of conservation opportunity areas, a number of campaigns, and provides priority actions for each. The protection of this site supports action steps identified in the Forests Campaign. The landowner wishes to register the site for a period of ten years.

Ms. Faulkner Dempsey stated that the landowner reserved the right to ride horses on a designated trail. Allowable uses also included hunting, fishing, hiking, mushroom collecting, nature observation, ATV use for the landowner to check the property, mowing of fields, and the harvesting of trees with an IDNR approved forestry plan if the landowner decides to harvest trees. The landowner requested the ten year registration, and it would not be an automatic renewal. At the end of the ten year period, the site would have to go through the approval process again if the landowner chose to renew the registration.

It was moved by Payne, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Stonewood Farm in Jackson County as an Illinois land and water reserve as described in the proposal presented under Item 9 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2068)

Chair Riddell thanked Ms. Perry for her efforts to protect this site.

Ms. Perry stated that the site had not been timbered for over 80 years. She stated that she had no plan to harvest the trees, but she wanted to reserve the right to do so if a financial emergency arose.

205-10) Lawrence Co. – Chauncey Marsh Land and Water Reserve, Registration

Mark Alessi presented a proposal on behalf of the IDNR for registration of Chauncey Marsh as an Illinois land and water reserve. The proposed land and water reserve is 345.08 acres in size and is located in the Bottomlands Section of the Wabash Border Natural Division. The site is located adjacent to the 160-acre Chauncey Marsh Nature Preserve and includes much of the Chauncey Marsh INAI site (#38). The proposed land and water reserve includes grade C floodplain forest, shrub swamp, pond and large, low gradient stream communities, warm-season grass and tree plantings, an artificial wetland and old fields that provide buffer to the Nature Preserve. The proposed land and water reserve supports 184 animal and 351 plant species including the state-endangered royal catchfly (*Silene regia*), a state-threatened reptile, and breeding populations of the state-threatened cerulean warbler (*Dendroica cerulean*). It also supports the copperbelly water snake (*Nerodia erythrogaster neglecta*) which is protected by Illinois Administrative Rule Part 880.70 and 35 other species listed as in greatest need of conservation by the IWAP. Registration would be in perpetuity. Allowable uses would include hiking, nature observation and study, scientific research, photography, fungi foraging, nut collecting, fishing, hunting of squirrel, rabbit, dove, quail, woodcock, waterfowl, white-tailed deer (archery and firearm), turkey (spring shotgun, fall shotgun and fall archery) and furbearers. Other allowable uses would be trapping, manipulation of water levels to maintain the hydrology of the marsh and related communities, and maintenance of an access road, two small parking areas, and trail/fire break system.

Mr. Alessi stated that there would be no ATV use except for management purposes, and there would be no equestrian use. He stated that there was an oil pipeline that crossed the southwest corner of the Valente tract. There was also a 16.5 foot AT&T easement on the south portion of the INAI boundary, but it was no longer maintained.

Commissioner Schwegman stated that he knows the area well, and he would certainly support the registration of the site.

It was moved by Schwegman, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Chauncey Marsh in Lawrence County as an Illinois land and water reserve as described in the proposal presented under Item 10 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2069)

205-11) Mason Co. – Rollo Prairie Addition to Sparks Pond Land and Water Reserve, Registration

Mitchell Lovgren presented a proposal on behalf of the IDNR to permanently register the 155.87-acre

Rollo Prairie as an addition to Sparks Pond Land and Water Reserve (230.7 acres). Rollo Prairie is located within the Illinois River Section of the Illinois River and Mississippi River Sand Areas Division, approximately one half mile to the northeast of Sparks Pond Land and Water Reserve. All of Sparks Pond and approximately 20% of Rollo Prairie are within the Sparks Pond Natural Area (INAI #1341). Rollo Prairie supports breeding populations of a state-threatened Illinois amphibian and reptile, both of which are species in greatest need of conservation as defined in the IWAP, and suitable habitat for the state-threatened broomrape (*Orobanche ludoviciana*), which occurs at Sparks Pond Land and Water Reserve. The following natural communities occur at Rollo Prairie: pond (0.5 acres), artificial impoundment (0.1 acres), grade D dry sand savanna (3 acres), and old field (152.27 acres). Registration of this site would help implement the IWAP through the following priority action campaigns: Farmland and Prairie, Invasive Species, and Land and Water Stewardship. Rollo Prairie is within the Mason County Sand Areas Conservation Opportunity Area. Registration of Rollo Prairie will increase the number of protected sand ponds at Sparks Pond Land and Water Reserve from two to four and increase the size of the site to 386.57 acres, while allowing public hunting and other recreational programs that are compatible with protecting the site's sensitive natural resources.

Mr. Lovgren stated that there was a small dump site on the property, and it was being used by turtles as hibernacula. The tires and surface trash would be removed. An artificial pond was added to the interior of the property last year and was fed by an irrigation system.

Chair Riddell stated that it was nice to see another Mason County sand prairie being added to the list of what was being conserved. She stated that this area of the state had a very distinctive look and feel to it.

It was moved by Ross-Shannon, seconded by Payne, and carried that the following resolution be adopted:

The Commission grants approval for the registration of the Rollo Prairie addition to Sparks Pond Land and Water Reserve in Mason County, as described in the proposal presented under Item 11 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2070)

Chair Riddell stated that this was the third of four projects on the agenda that were owned by the IDNR. She stated that the Commission talks frequently about private landowners being excellent collaborators. Sometimes the obvious has been overlooked because the IDNR was the number one agency to bring sites before the INPC for consideration for permanent protection. She stated that the Commission appreciates the excellence of every staff person involved in the registration and dedication process. She stated that the Commission was happy to have that relationship and collaboration.

205-12) Cook Co. – Addition to Gensburg-Markham Prairie Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of The Nature Conservancy (TNC) for preliminary approval for dedication of a 9.187-acre addition to Gensburg-Markham Prairie Nature Preserve. The addition consists of 32 lots totaling 4.151 acres and an additional 5.0364 acres of portions of platted

but unbuilt streets and alleys that can now be vacated. Gensburg-Markham Prairie Nature Preserve is part of the Indian Boundary Prairies that include Dropseed Prairie Nature Preserve, Paintbrush Prairie Nature Preserve, and Sundrop Prairie Nature Preserve. The proposed addition lies adjacent to Gensburg-Markham Prairie Nature Preserve within an area referred to by TNC as Gensburg-Markham Prairie South. Both Gensburg-Markham Prairie Nature Preserve and the proposed addition are located in the Chicago Lake Plain Section of the Northeastern Morainal Natural Division. The proposed addition lies within the boundaries for both the INAI site (#400) and the National Registry of Natural Landmarks designated by the U.S. National Park Service. Elements of grade A dry-mesic sand prairie, grade B mesic sand prairie, and grade B and D sedge meadow occur within the proposed addition. The addition also supports a federally listed plant species. Dedication of this addition is consistent with the recommendations of an approved Master Plan for the site, tenets of good preserve design, the “*Biodiversity Recovery Plan for the Chicago Wilderness Region*,” and elements of the IWAP regarding action steps to restore and manage high-quality wetland and prairie communities. Dedication of the proposed addition (9.187) acres will increase the size of Gensburg-Markham Prairie Nature Preserve from 192.94 to 202.127 acres and consolidate long-standing land protection efforts in the area south of Gensburg-Markham Prairie Nature Preserve between 157<sup>th</sup> Street and 159<sup>th</sup> Street.

Commissioner Ross-Shannon asked if Mr. Byers would go back to the Village of Markham to get an active ordinance to vacate the streets.

Mr. Byers stated, “Yes.”

It was moved by Schwegman, seconded by Rosenthal, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of an addition to Gensburg-Markham Prairie Nature Preserve in Cook County as described in the proposal presented under Item 12 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2071)

Chair Riddell asked that Mr. Byers extend the thanks of the Commission to Ron Panzer and Karl Gnaedinger for their hard work on the stewardship. She also thanked TNC, the Natural Land Institute, and the Village of Markham for their important role in protecting the lots along the way.

205-13) Edwards Co. – Buffer Addition to Beadles Barrens Nature Preserve, Dedication

Bob Edgin presented a proposal on behalf of Roger and Vivian Beadles for preliminary approval for dedication of 15 acres as a second buffer addition to Beadles Barrens Nature Preserve. This would increase the size of the Nature Preserve from 10 to 25 acres. The site is located within the Mount Vernon Hill County Section of the Southern Till Plain Natural Division in Edwards County and is recognized by the INAI (#1547) as a Category I site for grade B dry-mesic barrens and has populations of the state-endangered spring ladies’ tresses (*Spiranthes vernalis*) and the state-threatened savanna blazing star (*Liatris scariosa* var. *nieuwlandii*). The five-acre Beadles Barrens



Nature Preserve was granted final approval for dedication by the INPC at its 166<sup>th</sup> meeting in February, 2000 (Resolution #1523). A 4.5-acre buffer addition was granted final approval for dedication at the 174<sup>th</sup> meeting of the INPC in March, 2002 (Resolution #1635). The proposed second buffer addition adjoins the west boundary of the Nature Preserve and the north boundary of the first buffer addition. The proposed buffer addition is former crop fields that are being restored to prairie and open woodland communities.

It was moved by Ross-Shannon, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of the buffer addition to Beadles Barrens Nature Preserve in Edwards County as described in the proposal presented under Item 13 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2072)

Chair Riddell thanked Mr. Beadles for his protection efforts.

205-14) Hancock Co. B Samuel Barnum Mead Nature Preserve, Dedication

Angella Moorehouse presented a proposal on behalf of the IDNR for preliminary approval for dedication of the entire 37-acre Geissler Savanna Land and Water Reserve as Samuel Barnum Mead Savanna Nature Preserve in honor of historic resident botanist and physician, Dr. Samuel Barnum Mead, for whom Mead's milkweed (*Asclepias meadii*) and Mead's sedge are named. The nine-acre high-quality savanna remnant is proposed for nature preserve dedication and the remaining 28 acres of restored prairie and successional field are proposed for dedication as nature preserve buffer. The site is located within the Galesburg Section of the Western Forest-Prairie Natural Division. The site is recognized by the INAI as Category I containing nine acres of grade B/C dry and dry-mesic savanna and as a Category II for supporting four state-listed plant species, savanna blazingstar (*Liatris scariosa* var. *nieuwlandii*), an orchid, Mead's milkweed, and Virginia bunchflower (*Melanthium virginicum*); the final three of which are reintroductions. The site also provides habitat for at least six species of greatest need of conservation as identified by the IWAP. Prior to conveying approval for registration as Geissler Savanna Land and Water Reserve, the INPC granted preliminary approval for dedication of the site, previously named Hancock Savanna, as an Illinois nature preserve at the 156<sup>th</sup> meeting in August, 1997 (Resolution #1367).

It was moved by Schwegman, seconded by Rosenthal, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of Samuel Barnum Mead Savanna in Hancock County as an Illinois nature preserve, as described in the proposal presented under Item 14 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2073)

205-15) Kane Co. – Forested Fen Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Board of Trustees of the Fox River Country Day School for preliminary approval for dedication of the 23-acre Forested Fen as an Illinois nature preserve. The site has been enrolled in the Illinois Natural Heritage Landmark program since 1989. The proposed nature preserve encompasses much of the Chicago Junior School Area INAI (#0968) site and includes elements of grade B forested fen and grade B calcareous seep wetlands and elements of grade C or D dry-mesic and mesic forest. Only 14.5 acres of forested fen and 16.1 acres of calcareous seep wetlands survive in Illinois, and both are considered G-3 (globally imperiled) by TNC. The forested fen is characterized by the presence of white cedar (*Thuja occidentalis*) and the calcareous seep supports the state-threatened common bog arrow grass (*Triglochin maritima*). The proposed nature preserve is located in the Morainal Section of the Northeastern Morainal Natural Division. This site has benefited from the long-standing commitment of the Fox River Country Day School to its protection and stewardship. Dedication of the proposed nature preserve will protect the last unprotected forested fen community in Illinois. Dedication of this site is also consistent with recommendations of the “Biodiversity Recovery Plan for the Chicago Wilderness Region” and elements of the IWAP regarding action steps to restore and manage high-quality wetlands.

Mr. Byers stated that the landowner reserves the right to maintain the road for access to the ball field. Some of the allowable uses would be the use of the existing foot trail system, maintaining the educational components of the trail, restoration of the existing platforms, and the continuation of the current uses for environmental programs with the possibility of constructing a shelter. A well head may be removed as the funds become available.

Commissioner Ross-Shannon asked if the location of the groundwater recharge area was known.

Mr. Byers stated that the exact location was not known, but it is hoped that the Class III groundwater study for Trout Park will also include this particular area. It is believed that the recharge area extends to the east and includes some property that is currently in a gravel pit that is owned by the McGraw Wildlife Foundation.

It was moved by Keating, seconded by Payne, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of Forested Fen in Kane County as an Illinois nature preserve, as described in the proposal presented under Item 15 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2074)

Chair Riddell asked that Mr. Byers convey the thanks of the Commission to the Board of Trustees of the Fox River Country Day School.

205-16) Kankakee Co. – Addition to Carl N. Becker Savanna Nature Preserve, Dedication

Bryan Eubanks presented a proposal on behalf of TNC for preliminary approval for dedication of a 10-acre tract as an addition to the 68-acre Carl N. Becker Savanna Nature Preserve. The proposed

addition is located within the Kankakee Sand Area Section of the Grand Prairie Natural Division. Carl N. Becker Savanna Nature Preserve is owned by TNC and was formally dedicated in Mr. Becker's memory in 2008. The Nature Preserve is part of the Leesville Savanna INAI site (#0638). Leesville Savanna is included on the INAI for its grade B dry and dry-mesic sand savannas and for the presence of 12 state-listed species: yellow wild indigo (*Baptisia tinctoria*), clustered sedge (*Carex cumulata*), narrow-leaved sundew (*Drosera intermedia*), northern cranesbill (*Geranium bicknellii*), old plainsman (*Hymenopappus scabiosaeus*), shore St. John's wort (*Hypericum adpressum*), Carey's smartweed (*Polygonum careyi*), bristly blackberry (*Rubus schneideri*), eastern blue-eyed grass (*Sisyrinchium atlanticum*), primrose violet (*Viola primulifolia*), regal fritillary butterfly (*Speyeria idalia*), and a rare plant. The proposed addition is also part of the Leesville Savanna INAI site, and it supports at least two state-listed plants: clustered sedge and old plainsman. It lies within the Kankakee Sands Conservation Opportunity Area and provides habitat for several animal species in greatest need of conservation. This addition would provide additional habitat for many species of conservation concern, buffer high-quality natural communities, and allow the Nature Preserve to be managed in a way to maintain its unique natural character.

Mr. Eubanks stated that the landowner wishes to reserve the right to create and maintain trails and firebreaks throughout the property. Some of the allowable uses would be hiking, bird watching, scientific research, and nature observation.

Commission Ross-Shannon asked if this property was acquired after the dedication of Carl N. Becker Savanna Nature Preserve.

Kim Roman stated, "Yes."

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be approved:

The Commission grants preliminary approval for dedication of an addition to Carl N. Becker Savanna Nature Preserve in Kankakee County, as described in the proposal presented under Item 16 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2075)

Chair Riddell stated that three presentations were given by members of the Resident Program, Mark Alessi, Bryan Eubanks, and Mitch Lovgren. She stated that the Resident Program was an important program for fostering new talent, and she wanted the Residents to know that the Commission was impressed by their excellent presentations. She thanked them for bringing their knowledge and point of view to this work.

- 205-17) McHenry Co. – Westwood Park Addition and Buffer to Yonder Prairie Nature Preserve, Dedication  
(Actually presented after Item 7)

John Nelson presented a proposal on behalf of the City of Woodstock for preliminary approval for dedication of approximately 63.6 acres of land to be known as the Westwood Park addition and buffer to Yonder Prairie Nature Preserve (17.1 acres as nature preserve addition and 46.5 acres as buffer addition). Yonder Prairie Nature Preserve was granted preliminary approval for dedication at the 204<sup>th</sup> meeting of the INPC and is scheduled for request for final approval at the 205<sup>th</sup> meeting. Upon its final approval, Yonder Prairie Nature Preserve, owned by the Land Conservancy of McHenry County, will be 40.3 acres in size. The nature preserve and the proposed addition and buffer are located along the western boundary of the City of Woodstock in the Morainal Section of the Northeast Morainal Natural Division. Both sites are part of a larger natural wetland complex covering approximately 260 acres and consisting of a mosaic of prairies, wetlands, and oak savannas. The area has a rich diversity of plant species and habitats that support local populations of wildlife, including a state-threatened reptile. The proposed Westwood Park addition is recognized on the INAI (#1568) as part of a wetland complex containing a high-quality grade B, wet-mesic prairie. The proposed Westwood Park buffer consists of several relict natural communities that offer good restoration opportunities and are suitable for passive public use. The proposed addition lies within the Crowsfoot Marsh/Coon Creek/Kishwaukee River Conservation Opportunity Area. This dedication would support action steps for several campaigns identified in the IWAP, provide habitat for several birds in greatest need of conservation and help to protect a relict natural community included on the INAI and at least one state-listed animal. Restoration and management of this natural area will benefit area sensitive grassland dependent birds. If approved, the lands protected at the proposed Yonder Prairie Nature Preserve will increase from 40.3 acres to 103.9 acres.

Commissioner Ross-Shannon asked if there had been a problem over the years with the neighboring land use.

Mr. Nelson stated that there have been some issues with flooding related to beaver activity, and there would always be issues related to yard waste.

It was moved by Rosenthal, seconded by Ross-Shannon, and carried that the following resolution be approved:

The Commission grants preliminary approval for dedication of the Westwood Park addition and buffer to the proposed Yonder Prairie Nature Preserve in McHenry County as described in the proposal presented under Item 17 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2076)

- 205-18) Cook Co. – McMahon Woods and Fen Nature Preserve, Dedication  
(Actually presented after Item 16)

Steven Byers presented a proposal on behalf of the Forest Preserve District of Cook County

(FPDCC) for final approval for dedication of the 657.80-acre McMahon Woods and Fen as an Illinois nature preserve (477.28 acres as nature preserve and 180.52 acres as nature preserve buffer). The proposed nature preserve lies within the Palos and Sag Valley holdings of the FPDCC (totaling over 14,000 acres) in the Morainal Section of the Northeastern Morainal Natural Division. The site is located in the Crooked Creek watershed adjacent to the 372-acre Cranberry Slough Nature Preserve.

The glacial history of the site has left a mosaic of landscapes that today support a number of grade C natural plant communities (dry-mesic upland forest, mesic upland forest, wet-mesic upland forest, wet-mesic upland forest, wet floodplain forest, dry-mesic woodland, wet-mesic woodland, wet mesic prairie, basin marsh, graminoid fen, sedge meadow, and natural spring/seep) and several cultural communities. To date, 197 plant species have been recorded from the proposed nature preserve. Among the plant species are the state-endangered queen-of-the-prairie (*Filipendula rubra*), a state-threatened plant, and savanna blazing star (*Liatris scariosa* var. *nieuwlandii*). In addition, the proposed McMahon Woods and Fen Nature Preserve supports a population of the federally endangered and state-endangered Hines emerald dragonfly (*Somatochlora hineana*). This dragonfly is known from only four states: Missouri, Wisconsin, Michigan, and Illinois. In Illinois, this species has been recorded from nine sites located in a narrow corridor that extends along the Lower Des Plaines River corridor in Cook and Will counties. Extensive butterfly surveys conducted from 1996 through 2008 documented the presence of 52 species from the site, including seven species that are considered habitat-restricted. In 1992, extensive insect surveys documented the presence of six insect species (including the Hines emerald dragonfly) that are considered “wildlife species in greatest need of conservation” in the IWAP. Dedication of McMahon Woods and Fen as an Illinois nature preserve supports several action steps identified in the plan for the wetland and prairie campaign and the forest campaign. In addition, dedication of this site reaffirms the commitment of the FPDCC to “...preserve, protect, restock, and restore...” holdings that are of ecological significance. The Commission conferred preliminary approval for dedication at its 201<sup>st</sup> Meeting in January, 2009 (Resolution 2023).

Mr. Byers stated that the FPDCC has reserved the right to implement measures to prevent surface water from entering the graminoid fen. He stated that the instrument of dedication’s legal description included some small changes in the size of the proposed nature preserve. Preliminary approval for dedication was given for a 670-acre site; however, the total acreage to be dedicated was now 657. The shape of some of the buffers was altered slightly to facilitate preparation of the legal description.

It was moved by Rosenthal, seconded by Keating, and carried that the following resolution be approved:

The Commission grants final approval for dedication of McMahon Woods and Fen in Cook County as an Illinois nature preserve, as described in the proposal presented under Item 18 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2077)

Chair Riddell asked that the thanks of the Commission be conveyed to the FPDCC. She also thanked CorLands for its excellent work on the hydrology.

205-19) McHenry Co. – Freundschaft Weise Buffer Addition to Boloria Fen and Sedge

### Meadow Nature Preserve, Dedication

John Nelson presented a proposal on behalf of Robert and Ruth Wohnrade for final approval for dedication of 1.508 acres to be known as the Freundschaft Weise buffer addition to Boloria Fen and Sedge Meadow Nature Preserve. Boloria Fen and Sedge Meadow Nature Preserve (INAI #1413) is a 36.4-acre natural area dedicated by the Boone Creek Watershed Alliance in 2005. In 2006, Legacy Homes dedicated an additional 6.4 acres as a buffer addition to Boloria Fen and Sedge Meadow Nature Preserve. If approved, this dedication would increase the amount of currently protected land at this site from 42.8 acres to 44.3 acres. The proposed buffer addition is located along the southern boundary of the Nature Preserve. The buffer area includes a relict sedge meadow natural community that is contiguous with the high-quality sedge meadow found within Boloria Fen and Sedge Meadow Nature Preserve. The buffer area also includes a portion of an artificial pond and a natural drainageway that intermittently conveys excess surface water away from Boloria Meadows to the south. Boloria Fen and Sedge Meadow Nature Preserve is located in the Morainal Section of the Northeastern Morainal Natural Division. Dedication of the proposed Freundschaft Weise buffer addition will provide long-term legal protection for a high-quality sedge meadow and land suitable as buffer which is contiguous to the existing Nature Preserve. Protection, restoration, and expansion of the Nature Preserve supports action steps identified in the IWAP for the Prairie Campaign, Wetlands Campaign, Forests Campaign, and Invasive Species Campaign. Dedication will also allow for better land management and restoration activities within the natural wetland basin found at Boloria Fen and Sedge Meadow Nature Preserve. The Commission conferred preliminary approval for dedication at its 204<sup>th</sup> Meeting in January, 2010 (Resolution 2059).

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be approved:

The Commission grants final approval for the dedication of the Freundschaft Weise buffer addition to Boloria Fen and Sedge Meadow Nature Preserve in McHenry County, as described in the proposal presented under Item 19 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2078)

Chair Riddell asked Mr. Nelson to convey the thanks of the Commission to Mr. and Mrs. Wohnrade for their incredible contribution to conservation.

### 205-20) McHenry Co. – Yonder Prairie Nature Preserve, Dedication (Actually presented after Item 17)

John Nelson presented a proposal on behalf of The Land Conservancy of McHenry County for final approval for dedication of approximately 40.3 acres of land to be known as Yonder Prairie Nature Preserve. The proposed nature preserve is located along the western boundary of the City of Woodstock. It is part of a larger natural wetland complex covering approximately 260 acres and consisting of a mosaic of prairies, wetlands, and oak savannas. Yonder Prairie has a rich diversity of plant species and habitats that support local populations of wildlife, including a state-endangered reptile. The proposed nature preserve contains a high-quality wet-mesic prairie natural community

that is recognized on the INAI (#1568) and is located in the Morainal Section of the Northeast Morainal Natural Division. The dedication of Yonder Prairie as an Illinois nature preserve will help protect a relict natural community and at least one state-listed animal species. Protection and restoration of the proposed Yonder Prairie Nature Preserve supports the IWAP under the Prairie Campaign, Wetlands Campaign, Forests Campaign, and Invasive Species Campaign. It is anticipated that this dedication will also serve as a starting point for protecting other adjacent qualifying lands. If approved, Yonder Prairie will be The Land Conservancy of McHenry County's first dedicated nature preserve. The Commission conferred preliminary approval for dedication at its 204<sup>th</sup> Meeting in January, 2010 (Resolution 2060).

It was moved by Keating, seconded by Payne, and carried that the following resolution be approved:

The Commission grants final approval for dedication of Yonder Prairie in McHenry County as an Illinois nature preserve, as described in the proposal presented under Item 20 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2079)

Lisa Haderlein, The Land Conservancy of McHenry County, stated that an event was planned at Yonder Prairie on Saturday, May 8, 2010 to celebrate the dedication of the site. She stated that she was able to confirm that there were sandhill cranes nesting on the site. She stated that The Land Conservancy of McHenry County was excited about the partnership with the City of Woodstock to assist their staff with land restoration. Volunteer work days have also been organized to supplement the paid restoration work.

Chair Riddell thanked The Land Conservancy of McHenry County for its enthusiasm for the project.

A lunch break was taken from 12:04 p.m. – 12:45 p.m.

205-21) Carroll Co. – Request to Address Erosion Along With Improvement to Mississippi Palisades State Park Road, Sentinel Nature Preserve  
(Actually presented after Item 19)

George Bellovics, OREP, gave a detailed PowerPoint presentation regarding the proposal to address erosion with improvement to Mississippi Palisades State Park Road. The IDNR proposes to reconstruct an existing road within Mississippi Palisades State Park. The 48.4-acre Nature Preserve is recognized on the INAI (#0410) due to its rare floristic composition, high-quality hill prairies, unique geological features, and status as a National Natural Landmark. A portion of the proposed road work is adjacent to Sentinel Nature Preserve and will include resurfacing within the current footprint. Three pipe culverts in place adjacent to and within the Nature Preserve are not currently functioning properly due to sediment accumulation, old age, and structural failure. Of the proposed replacement culverts, two will be shorter in length by 10 feet than the present culverts. One 96 inch-wide culvert replacement requires the use of two 72 inch side-by-side culverts due to the lack of availability of concrete culverts of that size. The waterway opening will be equivalent and the use of concrete will increase the age potential for the infrastructure. The culverts require expanded rip-rap

aprons at the outflows to prevent erosion and decrease scouring within the Nature Preserve. Additionally, one catch basin will be located approximately three feet within the Nature Preserve boundary. All proposed work is improvement to existing structures.

Commissioner Ross-Shannon asked if work like this was contemplated with the original dedication.

Randy Heidorn stated that the road was already there at the time of the dedication. The main reason this project was being presented was the location included some of the infrastructure, and there was going to be a change in that portion of the infrastructure.

Commissioner Keating stated that the project may prevent additional erosion.

Chair Riddell asked what the rip-rap would look like.

Robert Smith, OREP, stated that the rip-rap would be quarry stone. The color would be white at first, but the color would change as the stone was out in the weather. The rip-rap would eventually blend in with the surrounding area after a year or two.

Mr. Bellovics stated that as material comes through the culvert, especially during a rain event, there would be a lot of silt. Over time, the silt would deposit over the rip-rap. In a very short order, the stone color would change. During major rain events, the rip-rap would stop the scouring from happening.

Jenny Skufca gave a detailed staff opinion regarding this project, and it is attached as Exhibit D. She stated that INPC staff recommended approval with stipulations identified to the Commissioners in the written staff report. She stated that Consultant Joe Roth recently submitted comments regarding this project, and his suggestions had been reviewed and incorporated into the stipulations for this project. The recommended stipulations were:

1. Extreme caution shall be exercised within Sentinel Nature Preserve. A Comprehensive Environmental Review Process (CERP) has occurred, and no threatened or endangered species would be impacted. John Nelson and Ed Anderson made a site visit and also made that determination that no threatened or endangered species would be impacted.
2. All heavy equipment shall be power washed to remove invasive seeds before coming onto the site.
3. Only native stone shall be used for rip-rap. No recycled concrete shall be used for rip-rap.
4. All three culvert rip-rap diffusion fields shall be reduced in length by approximately 50% as specified in the IDNR's proposal.
5. No high quality trees of a size greater than 4 inches dbh (diameter at breast height) shall be removed.
6. Seeding specifications shall be approved by John Nelson and Ed Anderson and shall include shade tolerant native species.
7. John Nelson and Ed Anderson shall be notified of all preconstruction meetings.
8. On site visits throughout the project will be conducted.



Ms. Skufca stated that both Mr. Bellovics and Mr. Smith had reviewed the stipulations and had agreed to each one.

It was moved by Ross-Shannon, seconded by Schwegman, and carried that the following resolution be approved:

The Commission approves the request to address erosion along with improvement to Mississippi Palisades State Park Road at Sentinel Nature Preserve in Carroll County pursuant to the stipulations and staff recommendations, as presented under Item 21 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2080)

205-22) Monroe Co. – Salt Lick Point Land and Water Reserve: Request to Change Surface Features to Alleviate Underground Water Drainage Which is Causing Damage

Debbie Newman stated that the Village of Valmeyer seeks approval to complete work on the land surface of Salt Lick Point Land and Water Reserve (SLPLWR) to amend water drainage issues occurring at the subsurface level related to the fractured limestone substrate and past mine blasting. The Village proposes to fill one hole for safety and water diversion, and build five small berms as water containment, then pipe the water downslope to a stream in the valley away from underground storage areas. The 594.48-acre Land and Water Reserve (INAI #0201) was registered in 2005 to protect grade A, B, and C loess hill prairie; grade A and B limestone glade; grade A limestone cliff community; grade C dry and dry-mesic upland forest; several state-threatened and endangered species; and a large forested block for forest-interior birds. The Village leases the underground limestone mine to a developer who uses it for a freezer facility and sensitive records storage based on agreements established before the registration of the property, and this area is known as Rock City. The registration proposal stated that the Village of Valmeyer was "...reserving the right to be able to access and maintain the air shafts on site, in a manner not inconsistent with the reserve..." The landowner reserved this right because "...continued ventilation may be an important component to the storage facility below..." The Registration Agreement allows for an exception in the legal description "...with the right of access consistent with this conservation easement across said tract for the purpose of maintenance and management of all ventilation air shafts." The registration agreement did not address issues related to control of water leakage into the underground areas. The Village of Valmeyer believes that the proposed changes to the surface features should alleviate the current leakage.

Ms. Newman stated that a relatively new physical problem affecting the some of the storage area has led to a request by the Village and Admiral Parkway, developer of Rock City, to address the problem on the surface in a manner that goes beyond what staff believes is allowed within the land and water reserve agreement for maintenance and management of the ventilation holes on the surface. The proposal is to use a small Bobcat (39" wide) on Area 1 and 2. The work in Area 3 would be done by hand. The planned route for the Bobcat would be on the existing trail to the ridge line. There were no hill prairies in the vicinity of the work area. Ms. Newman stated that there was also a safety issue because of the size of the holes. She stated that people are not to leave the trail, but sometimes they do. The known ventilation holes have been fenced.

Jim Pflaster, Village of Valmeyer, stated that the Village appreciated the opportunity to address the Commission and discuss the problems associated with the Rock City development which was below SLPLWR. The Village was seeking the Commission's approval to change surface features in the area of air shaft 27 and air shaft 28 to alleviate water damage to the subsurface area occupied by the National Achieves Record Center. He stated that attempts had been made to correct the water problem from below, but those efforts had not been successful. On two occasions there had been flooding in the National Achieves area, and records had been damaged. He stated that they would like to fill and seal a 14" by 19" hole that was adjacent to air shaft 28 and to construct five berms with diversion pipes that would direct the water away from these areas when there was a torrential rainfall.

Commissioner Keating asked if the ventilation holes needed caps to keep the rain from coming into the hole directly.

Mr. Pflaster stated that with the diversion proposed, the excess water would be diverted. There was no development in the areas underneath the large ventilation holes.

Commissioner Rosenthal asked if the Village would need to return to the Commission in the future because more holes were found.

Ms. Newman stated that it was felt that would not be the case with the berm and piping process being proposed. The proposed solution would be to try to divert the water to minimize a future problem.

Dennis Valentine, Village of Valmeyer, stated that no clearing would be done. The Area 1 repair would result in the installation of a small berm to act as a catch basin and pipe the water around the hole, approximately 30 feet. Area 2 would have two catch basins. One would be 45 feet long, and the other piping would be 100 feet long. The water would be piped past that. The third one would require a 46 inch-wide, Y-shaped ditch to create two small berms with the water being piped past that.

Chair Riddell asked if any precautions regarding the spreading of exotics would be taken when bringing the equipment in and out of the area.

Mr. Pflaster stated that the equipment would be washed.

Commissioner Ross-Shannon asked if any formal engineering plans had been done.

Mr. Valentine stated that no formal engineering plans had been done. The pipes would drain into a rock bed at the bottom of the ravine, and he felt that erosion should not be a problem.

Chair Riddell asked if long-term problems with leaking into the cave were anticipated given the nature of the structure.

Mr. Valentine stated that in the past this mine was very dry. The wet conditions over the last two years have caused water to come in places it had never done before. Overall, the mine was basically dry.

Ms. Newman stated that the woods at the Land and Water Reserve were grade C. The site was registered with qualifying features of the hill prairies, glades, and threatened and endangered species. The trees in the vicinity of where this work would be done were not large. The slope was dominated by small sugar maples, and the downing of some of the small sugar maples would actually be a benefit. She stated that she was not concerned about the issue of trees being taken out because of the proposed work at the site. The main disturbance area would be the berms. There would not be mass areas of cleared vegetation.

Chair Riddell stated that the Commission should make a point of wording its action on this request in such a way that if it is approved it would not be a guarantee that it would approve projects like this in the future. She stated that any project approval associated with this site should be considered a narrow focus.

Commissioner Rosenthal stated that the wording provided in the staff opinion was very specific. For the record, the staff opinion stated:

“To stop water drainage at the subsurface level and for safety, the Village is requesting permission to fill one hole (14” x 19”), and to build five small earthen berms and pipe systems to direct water downslope to a stream in the valley. All work will occur within SLPLWR.

The areas identified for surface alterations are leaking water through the natural limestone ceiling directly onto the National Archives records. The proposed repairs to Area 3 (as shown on the Village’s proposal to the INPC) are planned in anticipation of future expansion of the National Archives Records Center in Rock City.

The hole would be filled by creating a bottom with rebar and filling it with concrete or expandable foam. The five small earthen berms would be built with native material (rock and dirt) from SLPLWR. The berm placements would act as water control basins along intermittent tributaries to create small ponding areas from which an inlet riser pipe would collect the water during storm events and then connect with an outlet pipe moving the water to the stream below. Erosion control fabric would be placed over each earthen berm. The berms would be built by hand in two locations. The use of a mini-excavator would be necessary for three of the berms. The outlet pipe for each water control basin would be buried to deter chewing by rodents and prevent issues during management activities at SLPLWR.”

Jenny Skufca gave a detailed staff opinion regarding this project, and it is attached as Exhibit E. She stated that INPC staff recommended approval of the Village’s proposal to change surface drainage at SLPLWR with stipulations identified to the Commissioners. The recommended stipulations were:

1. Successful termination of IDNR’s Consultation process and receipt of an Incidental Take Authorization, if deemed necessary.

2. All actions on the ground at SLPLWR are undertaken only with the oversight of INPC's Natural Areas Preservation Specialist Debbie Newman.
3. Approval by the Commission to complete the work proposed currently should not be construed as precedent for further surface alterations to SLPLWR.
4. The Village and Admiral Parkway, Inc. conduct a meeting between geologists, engineers, and lessees to discuss options for the long term sustainability of dry storage within the caverns.

Ms. Skufca stated that after conducting an on-site visit with Illinois State Geological Survey (ISGS) consultants and IDNR Mines and Minerals staff, it was agreed that this would be an appropriate short-term fix. They were not sure how long this fix would last, but they felt this would not be a large scale alternation of the hydrology. She stated that she visited the IDNR Office of Water Resources, and she was advised that this was not within the parameters required for permitting. Staff of the Office of Water Resources believed that this was a low impoundment capacity because it was an intermittent stream, and that this was a low hazard potential with little impact to the hydrology.

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be approved:

The Commission approves the request to change surface features to alleviate underground water drainage which is causing damage at Salt Lick Point Land and Water Reserve in Monroe County pursuant to the stipulations and staff recommendations, as presented under Item 22 of the Agenda for the 205<sup>th</sup> Meeting. Further, no state endangered or threatened species shall be impacted by the work, and equipment used to do the work shall be power washed to remove invasive seeds.

(Resolution 2081)

205-23) Natural Areas Acquisition Fund Fiscal Year 2011 Defense Proposals

Deborah Stone gave a PowerPoint presentation showing the Natural Areas Acquisition Fund (NAAF) revenues, expenditures, and sweeps/diversions covering the period of 2003 through the projected amount for 2011. As a result of the declining revenues going into the fund, the increased spending on real estate acquisition over the last five or six years, and the undertaking of a large project in terms of the update of the INAI, we have seen the end of the year cash balance decline. At the end of FY2010, it is anticipated that there will be approximately \$6 million in the fund. With the expenditures that are expected next year, it is anticipated the balance to go down to \$3 million by the end of 2011. The amount spent over the last few years has been greater than was taken in. We are correcting that by reducing expenditures to try to match what was coming in. It is expected that, while this fund is getting very tight, basic ongoing operation and staff expenditures will be covered. There will not be much of anything left over for real estate acquisition. The Governor's proposed budget has budgeted \$1 million for acquisition, which is considerably down from what it was a few years ago. Unless there is a major change in the economy, it is not anticipated that this fund will be a major vehicle for real estate acquisition any time in the near future.

Randy Heidorn stated that the Commissioners were provided information in their agenda packets regarding the summary of FY2010 defense project activities. He stated that a presentation would be given at the 206<sup>th</sup> INPC meeting regarding the allocations of stewardship projects from that fund.

The NAAF capital appropriation funds and contractual natural area defense activities needed on properties are included in one of the INPC's protection programs. From the FY2008, FY2009 and FY2010 NAAF capital appropriation, \$475,000, \$225,000 and \$225,000 was available respectively to defend natural areas statewide. NAAF defense projects that were begun in years prior to FY2010 and continued or completed during FY2010 include: the collection of hydrological data required for permit applications to allow reconstruction and restoration of hydrology and prevent drainage in the Cache River system which includes Heron Pond-Little Black Slough Nature Preserve, Section 8 Woods Nature Preserve and Cache River Land and Water Reserve; funding the ISGS to collect and review groundwater data needed to assess impacts of proposed off-site development, threats or damages, prepare Class III Special Resource Groundwater petitions to the IEPA for INPC program sites, and provide groundwater consulting services for the INPC staff; the development of engineering plans to stabilize the asbestos containing material contaminated sand pile north of North Dunes Nature Preserve; addressing wildfire management at Lake in the Hills Fen Nature Preserve and other INPC program sites; and providing seed money for re-sampling of Category 1 INAI sites in INPC programs by the INAI update team to assess conditions in the sites (prelude to monitoring). In FY2010, there was a new contract for the continuation of the aforementioned groundwater consulting services and Class III delineations from the ISGS, and we are working on details of a way to implement better easement monitoring procedures for existing INPC program sites. Approximately \$155,000 of the three years of allocations remains unassigned to specific projects. This money remains available to address threats that may arise. Based on the FY2011 budget proposal, \$225,000 may be available for allocation to defense. Specific projects will be selected as needed but will likely include a continuation of the aforementioned groundwater data and consultation services at some level and a continuation of easement monitoring procedures developed during this year. Specific projects funded during FY2011 will be reported in May, 2011.

It was moved by Ross-Shannon, seconded by Keating, and carried that the following resolution be approved:

The Commission approves the Natural Areas Acquisition Fund Fiscal Year 2011 defense project plan, as presented under Item 23 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2082)

205-24) Lake Co. – Correction of Error in Legal Description in the Dedication Agreement for the Jean Farwell Woods Addition of Buffer to Middlefork Savanna Nature Preserve

Chair Riddell recused herself from any discussion regarding this matter due to her family relationship to this site. Vice Chair Rosenthal presided over this portion of the meeting.

Randy Heidorn stated that the five-acre Jean Farwell Woods addition of buffer to Middlefork Savanna Nature Preserve was given final approval for dedication at the 191<sup>st</sup> meeting of the INPC (Resolution 1907) on August 8, 2006, and the dedication document was recorded in Lake County on September 20, 2006. The landowner, Frank Farwell, recently identified an error in the legal description after meeting with his attorney. The corrected legal description needs to be approved by the Commission in resolution, attached to the original dedication document, and re-recorded. The erroneous legal description refers to the “east 33 feet thereof,” and the correct description should reflect the **south** 33 feet thereof.

It was moved by Ross-Shannon, seconded by Schwegman, and carried, with Riddell abstaining, that the following resolution be approved:

The Commission approves the correction in the legal description, due to a scrivener’s error, for the Jean Farwell Woods addition of buffer to Middlefork Savanna Nature Preserve in Lake County, as presented under Item 24 of the Agenda for the 205<sup>th</sup> Meeting. The document will be re-recorded with the Lake County Recorder’s Office.

(Resolution 2083)

205-25) Lake Co. – Lake County Vision for Land Preservation, Letter of Support

Steven Byers gave a PowerPoint presentation regarding the Lake County vision for land preservation.

In early 2009, the Liberty Prairie Conservancy initiated a visioning process for land preservation in Lake County that included 17 partner organizations including the INPC. To date, public and private land preservation organizations have protected about 39,344 acres (or 13.4 percent of Lake County).

While there has been great progress, there has never been an effort to articulate a collective countywide vision for land preservation. The results of this visioning process: “To realize a Lake County landscape where, by 2030, at least 20% of the County is preserved forever as natural areas, parks, trails, farmland, and scenic views” establishes a target for land preservation. To date, 16 of the 17 partner organizations (including the IDNR) have adopted the Lake County Vision for Land Preservation. Staff of the INPC recommends that the INPC endorse this vision for land preservation.

After some discussion it was recommended that a letter be drafted for the Chair’s signature indicating the Commission’s support for the provisions relating to the goals for the protection of natural areas within the Lake County Vision plan.

It was moved by Rosenthal, seconded by Keating, and carried that the following resolution be approved:

The Commission directs staff to prepare a letter of support to the Liberty Prairie Conservancy regarding the Commission's support regarding the goals for the protection of natural areas as it pertains to the Lake County Vision for Land Preservation, as presented under Item 25 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2084)

205-26) Land and Water Reserve White Paper

Mary Kay Solecki gave a comprehensive PowerPoint presentation regarding the Land and Water Reserve White Paper. The land and water reserve registration program began 15 years ago and has protected over 156 land and water reserves in 65 counties, totaling over 44,000 acres. With the maturity of this program, INPC staff saw a need to update the process and procedures for registering lands as land and water reserves. To address this, the INPC appointed a committee composed of INPC and IDNR staff to research and recommend better ways of doing business. Land and Water Reserves Procedures Committee members are: IDNR staff - Don McFall, Don Moles, and Ren Moore; and INPC staff - Kim Roman and Mary Kay Solecki. The Committee consulted with partners and researched reference documents including model conservation easements, easement checklists and monitoring reports from several organizations, and Land Trust Alliance's Land Trust Standards and Practices. The main goals were to explore and recommend revisions and updates to 1) procedures for acquiring land and water reserves and 2) the registration agreement for registering land and water reserves in order to strengthen the protection of lands conserved within the land and water reserves system.

Ms. Solecki stated that the registration agreement and the 3-5 year site management schedule are recorded at the appropriate County Registrar's office. It was the Committee's recommendation that the site management schedule no longer be recorded because it was not a permanent long-term document. This would require a change in the Administrative Rule.

The Committee also felt it was important to better document the baseline conditions in each new land and water reserve proposal and have the baseline documentation report signed by the landowner. She stated that most conservation agency land trusts require the landowner's signature on the baseline documentation. Photo documentation from baseline photo stations would be a part of the baseline documentation report. With regard to site monitoring and surveillance, the Committee recommended that the Commission consistently implement annual site inspections. At the present time, field staff are unable to do this because of the workload. It has been recommended that staff walk and inspect the property boundaries and the interiors at least once a year and check for encroachments. The annual monitoring should be documented in writing with relevant photos for each site. The Committee did recognize that staff have a large workload, but it was felt that it was important to photo document privately-owned sites.

Ms. Solecki asked that the Commission provide input on how soon it would like staff to implement the procedures if the White Paper was approved.

Commissioner Riddell asked if the individual rule changes have to be approved by the Commission separately.

Randy Heidorn stated that for those changes requiring a change in the Administrative Rules (the change of not recording the site management schedule, and possibly the change to the boiler plate language of the land and water preserve registration agreement) would have to start with the Commission requesting the change before it is forwarded to the IDNR. Once the IDNR has approved the changes, it would be forwarded to the Joint Committee on Administrative Rules (JCAR). The process can take at least a year. If the White Paper was approved by the Commission, staff could begin implementing things that did not require a change to the Administrative Rules.

Commissioner Rosenthal stated that she was concerned about the requirement for the annual monitoring when staff are unable to meet that requirement because of the current workload. She asked if volunteers could be given a checklist to help with the monitoring.

Chair Riddell stated that it was her opinion that the Committee has recommended best practices for a conservation easement, based on other conservation land trusts guidelines. If you are the entity holding a conservation easement, the best practice is to inspect the site once a year. In that case, the conservation easement holder would not want to accept another person's word on the condition of the site. She stated that this best practice standard may help make the case that we need more staffing. It would not mean that someone's performance was being judged on whether they get out every single year to see each conservation easement.

Mr. Heidorn stated that it was recognized that there were real staff issues associated with this in terms of workload, and the idea was to try to have people within the Department help with some of this. Contracting some of this out was another potential way, and a volunteer program was an additional potential thing that could be done. There would be some limitations associated with the volunteer program particularly when dealing with private lands. The current standard is that staff visit the sites once every two years.

Chair Riddell stated that even though staff are not able to meet some of the objectives because of workload issues, adopting this plan would help show what the ideal work plan would be.

Commissioner Ross-Shannon stated that this was important for private property and non-IDNR property. The baseline documentation and monitoring was important because when the property gets down to the second or third generation of private landowners the possibility of attack on the easements would become much greater. The people who make the initial dedication or registration obviously want to protect their property; however, their heirs may not necessarily be interested in that. When the property has been passed down to the future generations, the new owners may want to use the land for another use. If the Commission is not able to prove that the new use was not already there, it may not be able to defend this in court. He stated that the baseline documentation is crucial for that. The second part of the baseline documentation is the recording of the whole thing. If it is recorded, it is not lost. He stated that the State may have a better way to keep that information and make it accessible. A private land trust has limited staff, and files could be lost. Regarding the monitoring issue, the landowner could say that a conservation easement was given with the promise



that the landowner would not do certain things on the property. The State's promise to the landowner was that it would do certain things like monitor the property. The State has an obligation to see that this was enforced. If the conservation easement holder does not undertake its part of the duties, the document has been breached. The landowner could then go to court and ask that the conservation easement be withdrawn. If the Commission has any kind of policy that requires something that is not being done, it could be a good way for the landowner to attack the system. He stated that there needs to be a balance on what actions are mandated.

Mr. Heidorn stated the prioritization was so important in terms of workload. Approximately 82% of the sites by acreage were in public ownership. Individual private ownership of sites currently enrolled in the Nature Preserve System was less than 1%.

Ms. Solecki stated that the White Paper did reflect that some land trusts rely on capable volunteers for annual surveillance and that this was an accepted practice. It was recommended that the INPC could use trained volunteers for annual surveillance, if feasible. If the White Paper was approved, it would allow staff to use that tool.

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be approved:

The Commission approves the White Paper regarding the land and water reserve registration process, as presented under Item 26 of the Agenda for the 205<sup>th</sup> Meeting.

(Resolution 2085)

205-27) Public Comment Period

There was no public comment.

205-28) Natural Areas Acquisition Fund Fiscal Year 2011 Land Acquisition Proposals

The NAAF is administered by the IDNR with review and recommendation of land acquisition projects by the INPC. In FY2010, the IDNR identified 20 high priority tracts of land currently for sale within 16 natural areas. No new land acquisition was completed during FY2010.

Don McFall stated that no land acquisition was anticipated in FY2011 due to the previously discussed budget difficulties. He stated that should any monies become available, Connie Waggoner, OREP, would continue to work from the previously approved land acquisition list. With the assistance of grant funding and donations, the staff from OREP would continue to protect natural areas.

205-29) Other Business

Chair Riddell stated that there were four sets of minutes regarding land acquisition from closed meetings of the Commission included in the Commissioners' packets. The meeting dates were August 2, 2005, May 2, 2006, May 6, 2008, and May 5, 2009. These meetings were closed in accordance with the Open Meetings Act to discuss the purchase of real property. An additional set of minutes, dated October 28, 2008, pertains to litigation. Section 2.06 of the Open Meetings Act provides that public bodies, "shall periodically, but no less than semi-annually, meet to review minutes of all closed sessions. At such meetings, a determination shall be made and reported in an open session that: 1. the need for confidentiality still exists as to all or part of those minutes, or 2. that the minutes or portions thereof no longer require confidential treatment and are available for public inspection."

It was moved by Keating, seconded by Ross-Shannon, and carried that the following resolution be approved:

In accordance with the Open Meetings Act, the closed session minutes from the August 2, 2005, May 2, 2006, May 6, 2008, and May 5, 2009, meetings will remain confidential but will be reviewed semi-annually to ascertain the need to be kept confidential.

(Resolution 2086)

It was moved by Rosenthal, seconded by Ross-Shannon, and carried that the following resolution be approved:

In accordance with the Open Meetings Act, the closed session minutes from the October 28, 2008, meeting no longer need to be considered confidential.

(Resolution 2087)

Deborah Stone stated that the recently approved Illinois Prescribed Burn Act provided that a Prescribed Burn Manager Certification Board would be formed. The Board will make recommendations to the Director of the IDNR on various policies relating to the certification of individuals as burn managers. The Prescribed Burn Manager Certification Board will consist of five individuals. Three members are to be designated by the Director of the IDNR, one by the INPC, and one by the Office of the State Fire Marshal. This Board would be a staff level committee. INPC staff has recommended that Randy Heidorn be designated as the Commission's representative.

It was moved by Schwegman, seconded by Payne, and carried that the following resolution be approved:

Randy Heidorn is appointed to be the Illinois Nature Preserves Commission's representative on the Prescribed Burn Manager Certification Board.

(Resolution 2088)

Chair Riddell stated that a nominating committee would be formed, and the election of new officers would be done at the 206<sup>th</sup> INPC meeting on September 21, 2010.

205-30) Adjournment

It was moved by Payne, seconded by Keating, and carried that the meeting be adjourned at 2:45 p.m.

Illinois Nature Preserves Commission  
One Natural Resources Way  
Springfield, IL 62702  
217/785-8686

# **EXHIBIT A**



**Illinois  
Nature  
Preserves  
Commission**

# memorandum

**To:** Commissioners  
**From:** Kelly Neal, Jenny Skufca, and Randy Heidorn  
**Date:** April 30, 2010  
**Subject:** Staff Report for the 205<sup>th</sup> Meeting of the Illinois Nature Preserves Commission

**I. Illinois Nature Preserves Commission (INPC) Operations:**

- A. Deborah Stone, Randy Heidorn, Jenny Skufca, Kelly Neal, John Nelson, Steven Byers, Kim Roman, and Bryan Eubanks attended the INPC photographic exhibit event celebrating the 500<sup>th</sup> protected site at the Environmental Law and Policy Center in Chicago.
- B. Staff converted computer files for transfer to new laptops, turned in desktop computer to Springfield IDNR office, and installed new laptop computers in their offices.
- C. Mary Kay Solecki reviewed all protection proposals and nature preserve (NP) and land and water reserve (LWR) documents for the 205<sup>th</sup> INPC meeting and provided staff support concerning dedications, registrations, and review process.
- D. Debbie Newman worked with District Heritage Biologist (DHB) on the nomination of a Washington County volunteer for the Serve Illinois volunteer award.

**II. Training, Presentations, and Meetings Attended:**

- A. Randy Heidorn, Kelly Neal, and Jenny Skufca
  1. Attended monthly Natural Heritage/INPC/Endangered Species Protection Board (ESPB) staff/planning meetings.
  2. Reviewed proposals for the Wildlife Preservation Fund and attended the meeting to rank proposals.
- B. Randy Heidorn and Steven Byers attended a summit in Champaign sponsored by the Illinois Natural Areas Inventory (INAI) Update on how to develop a sustainable natural areas program.
- C. John Nelson and Bryan Eubanks completed CPR Certification/Training.
- D. Randy Heidorn, Tom Lerczak, and Mitch Lovgren attended the annual meeting of the Illinois Prescribed Fire Council. Mr. Heidorn gave a presentation on the new Illinois Certified Prescribed Burn Manager program. He also serves as the treasurer of this organization.
- E. Randy Heidorn:
  1. Presented at the Illinois Incident Management Team meeting on the use of Incident Command for the recent Asian carp rapid response.
  2. Attended the Board of Directors Meeting of the Natural Areas Association. He is currently Vice President of this national professional organization.
  3. Attended the annual meeting of the Prairie State Conservation Coalition, the Land Trust Alliance Illinois state affiliate.
- F. Kelly Neal:
  1. Attended the annual meeting of partners for the Hine's emerald dragonfly Habitat Conservation Plan and the Eastern Prairie Fringed Orchid researchers meeting.
  2. Attended a three day computer training for Access programming.
- A. John Nelson:
  1. Was guest speaker for the "Wild Ones" in Rockford. Title: "Plant Communities, Restoration Projects, and NPs in Northern Illinois."
  2. Was an invited participant in the invasive species control discussion group at the Volunteer Stewardship Network Annual Workshop.
  3. Participated in the McHenry County Quercus Project meeting.
- B. Steven Byers:

1. Continued to serve as co-chair of Chicago Wilderness (CW) Natural Resources Management Team and represented the INPC for the CW Coordinating Group and CW Steering Committee.
  2. Gave a presentation on how the INPC supports the US Fish and Wildlife Service (USFWS) sponsored efforts to promote the eastern prairie fringed orchid recovery plan.
  3. Represented the INPC at the annual meeting of Del Webb Communities of Illinois Sun City and presented on ecological significance of Del Webb Sedge Meadow and Grove NP.
  4. Represented the INPC at a USFWS meeting to review opportunities for Great Lakes Restoration Initiative (GLRI) Orchid Recovery project featuring NPs in Northeastern Illinois.
  5. Represented the INPC at the annual meeting of the Liberty Prairie Conservancy.
- C. Kim Roman attended the Friends of the Kankakee-Iroquois Chapter's annual luncheon/fundraiser.
- D. Angella Moorehouse:
1. Attended an Agroforestry Conference in Kampsville sponsored by the University of Illinois Cooperative Extension Service and the University of Missouri, School of Agroforestry.
  2. Gave a presentation for the Heart of Illinois Sierra Club in Peoria on bird watching and her role as field representative for the Commission.
  3. Organized field trips to seven NPs or LWRs and three additional INAI sites in western Illinois for the Illinois Audubon Society Spring Gathering held in Nauvoo; led field trips to Harry N. Patterson Savanna LWR and Geissler Savanna LWR.
- E. Tom Lerczak presented a talk entitled "Considerations for Planning Grassland Restorations" at the annual meeting of the Soil and Water Conservation Society – Illinois Chapter.
- F. Debbie Newman:
1. Led a wildflower/bird/frog field trip at Salt Lick Point LWR with the Salt Lick Point Committee, Kaskaskia Valley Audubon Chapter, and Clifftop.
  2. Attended the Kaskaskia Watershed Association Summit.
- G. Judy Faulkner Dempsey attended the presentation of the Community Relations Award to Lafarge, Cave in Rock Quarry, for the number and variety of ways they interact with the community; a number of the projects being "Green Projects."

## **I. Inventory and Monitoring:**

- A. Several INPC staff compiled landowner contact information and biological information for potential natural areas to assist the INAI update staff and effort.
- B. Randy Heidorn, Kelly Neal, and Jenny Skufca
1. Participated in discussion criteria for inclusion of a Woodlands Category in the INAI.
  2. Represented the INPC in the quarterly meeting of the Natural Areas Evaluation Committee.
- C. Kim Roman and Bryan Eubanks visited an unprotected site in southern Cook County to determine its potential as a high quality natural area.
- D. Tom Lerczak:
1. Conducted site surveillance at eight NPs, LWRs or Natural Heritage Landmarks(NHL).
  2. Completed baseline plant inventories at the Rollo Prairie in Mason County, and at a 40-acre tract of IDNR property in Mason County for use in LWR proposals.
  3. Completed a second overwintering survey of red-headed woodpeckers at Sand Prairie-Scrub Oak NP.
  4. Provided guidance to Mitch Lovgren on submitting materials for a proposed addition to the INAI.
- E. Mary Kay Solecki:
1. Assisted IDNR staff with a rare snake survey in Piatt County by determining landowners of potential habitat for rare snakes, condition of potential habitat, and landowner education.
  2. Provided IDNR staff with assistance in defining and describing new INAI natural community type for managed grasslands.
  3. Initiated a salamander and frog survey at Edgewood Farm LWR.
  4. Reviewed an Illinois Natural History Survey grant proposal to survey aquatic insects in seep, ravine streams and other small streams found in NPs statewide, and provided a letter of support.
  5. Conducted site surveillance at Edgewood Farm LWR and Riverbend LWR.
- F. Debbie Newman conducted site surveillance on numerous sites.
- G. Bob Edgin submitted 2009 site surveillance forms to the Natural Heritage Database Manager.
- H. Judy Faulkner Dempsey monitored a population of synandra (*Synandra hispidula*) at the Little Grand Canyon-Cedar Creek INAI site.

## **II. Protection Program:**

- A. Staff met with landowners and managers to plan and draft protection proposals that are on the agenda of the 205<sup>th</sup> meeting.
- B. Mary Kay Solecki chaired the LWR procedures update committee, gave a presentation on LWR updates to the INPC staff and Commissioners, obtained reviews of the draft white paper, and finalized the white paper on updating procedures for acquiring and registering LWRs.
- C. Debbie Reider coordinated final preparation of NHL documents for signature at the 205<sup>th</sup> meeting. The new NHLs are:
  - 1. Heather's Hollow in Monroe County; part of Columbia Hill Prairies INAI site; 9.7 acre (Newman)
  - 2. Carroll T. Cox Forest in Crawford County; part of Chauncey Marsh INAI site; 106-acre (Edgin).
- D. John Nelson:
  - 1. Wrote 11 letters to owners of NHLs and enclosed contact information and an INPC brochure.
  - 2. Presented "An introduction to the Illinois NPs System" to the Friends of Nachusa Grasslands.
  - 3. Met with representatives of the City of Oregon regarding potential for registration of the Oregon Islands as an addition to the Kyte River Bottoms LWR.
  - 4. Met with representatives of the McHenry County Conservation District (MCCD) to discuss potential for dedication of the Boger Bog site as a NP.
- E. Steven Byers:
  - 1. Hackmatack National Wildlife Refuge (NWR):
    - a. Gave a presentation to Marc Miller, John Rogner, Illinois Department of Natural Resources (IDNR), and USFWS Region 3 Director Tom Mileus regarding the proposed NWR regarding USFWS initiatives, Landscape Conservation Cooperatives, Strategic Habitat Planning, and a 5-year action plan for climate change. Also toured the area of the proposed NWR.
    - b. Met with Greg Siekaniec, Chief of the USFWS Refuge System, Evan Hirsch of the Fish and Wildlife Refuge Association, Elizabeth Kessler of MCCD regarding the proposed NWR and took a short tour of the site.
    - c. Gave presentations and received support for the NWR from the Natural Lands Institute (NLI), local Audubon Chapter, MCCD, and the CW Executive Council.
  - 2. Attended an on-site meeting with Lake Bluff Open Lands Association and representatives of the Village of Lake Bluff regarding opportunities to protect land commonly referred to as Skokie River preserve (not to be confused with the nearby Skokie River NP owned by Lake Forest Open Lands Association). Also attended a meeting hosted by the Village of Highland Park and Lake County Stormwater Management Commission to review Skokie River drainage issues that could affect Skokie River NP and the initiative of Village of Lake Bluff to protect Lake Bluff Skokie River preserve.
  - 3. Participated in discussions with OpenLands staff regarding an opportunity to dedicate Lake Michigan shoreline preserve.
  - 4. Ongoing discussions with the MCCD regarding opportunities to enroll District sites in the NP System; sites include Alden Sedge Meadow, additions to Fel-Pro Triple R Fen NP, and additions to Elizabeth Lake NP.
  - 5. Met with Elizabeth Kessler, staff and Board of the MCCD regarding HUM prairies.
  - 6. Ongoing meetings/discussions with Fields of Cambridge Homeowner's Association, Tallgrass Restoration, and USFWS to protect a site as an Illinois NP.
  - 7. Reviewed opportunity with The Nature Conservancy (TNC) to protect 32 additional lots adjacent to Gensburg-Markham Prairie NP.
- F. Kim Roman:
  - 1. Met with the owners of Hildy Prairie to discuss dedication of their INAI site as a NP.
  - 2. Assisted The Conservation Foundation with a grant proposal for the purchase and dedication of Marsh Relics INAI site.
- G. Angella Moorehouse:
  - 1. Met with staff from Interstate Resource Conservation and Development, Rock Island County Soil and Water Conservation District and NLI to discuss the formation of a new land trust for the Quad Cities area.
  - 2. Maintained landowner contact with owners of 20 sites enrolled in INPC programs.
  - 3. Contacted owners of five unprotected natural areas.
- H. Tom Lerczak:

1. Worked with Mitch Lovgren gathering information for a proposal for an addition to Sand Prairie-Scrub Oak NP.
2. Met with 11 landowners of NPs, LWRs or NHLs.
- I. Mary Kay Solecki:
  1. Met with landowners of two unprotected INAI sites to seek formal protection with INPC programs.
  2. Met with the owner of an endangered phlox site and discussed needed stewardship and protection to maintain rare wildflower.
  3. Participated in a Salt Fork Rivers Partner meeting and encouraged landowners along Salt Fork of Vermilion River INAI site to formally protect natural area in their ownerships. Prepared map of conservation lands protected on Salt Fork of Vermilion River INAI site and distributed it to river conservation partners.
- J. Bob Edgin met with ten owners of NPs, LWRs, or NHLs and three owners of unprotected sites.
- K. Judy Faulkner Dempsey:
  1. Attended a meeting with the new Plant Manager for Cave in Rock Quarry to discuss mutual endeavor to preserve one or more of the three INAI sites in Lafarge's ownership in INPC programs.
  2. Landowner contacts to propose preservation of the Britton Springs dusky salamander site.
  3. Talked with the landowner of Toothless Cave, an Indiana bat hibernaculum.

### III. Land Acquisition:

- A. Mary Kay Solecki assisted a private landowner in an effort to acquire land upstream of an INAI river section for conservation purposes.
- B. Angella Moorehouse provided information and recommendations on a 1,000+ acre tract of land containing populations of the state-threatened blazing star (*Liatrix scariosa* var. *nieuwlandii*) that was offered for sale to the IDNR.
- C. Debbie Newman worked extensively on acquisition projects for three INAI sites in Monroe and St. Clair counties, totaling 530 acres.

### IV. Defense Program:

- A. Class III Special Resource Groundwater Petitions for nine INPC sites were submitted in May, 2009. The submission was reviewed by the Illinois Environmental Protection Agency (IEPA) and published to the Environmental Register in December, 2009 for public comment. Per IEPA staff on April 19, 2010, no public comments were received; therefore, the IEPA will recommend final listing through their legal staff in the near future. The nine sites are: Armin Krueger Speleological NP, Bluff Spring Fen NP, Braidwood Dunes and Savanna NP, Elizabeth Lake NP, Illinois Beach NP, Lake in the Hills Fen NP, Lockport Prairie NP, Romeoville Prairie NP, and Volo Bog NP.
- B. Jenny Skufca:
  1. Responded to four reviews for IDNR's Comprehensive Environmental Review Program (CERP) and nine reviews for IDNR's consultation program.
  2. Prepared Class III Groundwater Petition packets for George B. Fell NP, Goose Lake Prairie NP, and Spring Grove Fen NP for submittal to the IEPA. Petitions for Trout Park NP, Cotton Creek Marsh NP, and Gladstone Fen NP are now in final draft stage and will also be submitted.
  3. Attended a meeting with Element Markets wind development company, IDNR staff, and USFWS staff to discuss factors considered in review of wind projects in Illinois.
  4. Submitted letters from the INPC to Ogle County and Lake County Planning Departments regarding INPC protocols for reviewing wind projects near INPC sites.
  5. Facilitating communication among the INPC, IDNR, and Forest Preserve District of Cook County (FPDCC) with regard to proposed infrastructure upgrades adjacent to Wolf Road Prairie NP.
- C. Jenny Skufca and John Nelson met with representatives of Unimin Mining Corporation and the IDNR to discuss mining activities adjacent to George B. Fell NP and expenditure of the annual contribution donated to the Wildlife Preservation Fund for protection and stewardship at the NP.
- D. Angella Moorehouse contacted the McDonough County Natural Resource Conservation Service to report a possible sodbuster violation involving the installation of drainage tiles within the wetland of Bushnell Swamp INAI Site.
- E. Mary Kay Solecki:



1. Provided Ecology and Environment, Inc. staff with INPC procedures for handling potential pipeline impacts on or near NPs.
  2. Provided TNC staff with possible wind farm impacts/mitigation measures as they relate to Nachusa Grasslands and vicinity.
- F. Threats to Sites within INPC programs:
1. **Lake in the Hills Fen NP, McHenry County – John Nelson**
    - a. Issue: On March 25, 2009, a wildfire occurred at Lake in the Hills (LITH) Fen.
    - b. Threat: The LITH-Algonquin Fire Protection District responded by entering the NP with brush trucks that got stuck in hydric soils. A Bobcat skidsteer was called on-site to extract vehicles, and it also got stuck.
    - c. Status: Resolved. A Wildland Fire Training course was hosted and conducted at the LITH-AL Fire Protection District headquarters with attendance at full capacity on April 9-11, 2010. INPC staff is attempting to purchase a properly equipped ATV for use by the Fire Protection District in the event of future wildfires.
  2. **Bluff Spring Fen NP, Cook County – John Nelson, Steven Byers**
    - a. Issue: Routing of water from Gifford Lake and “finger lakes” located adjacent to Bluff Spring Fen is currently under consideration by the FPDCC. Options include surface conveyance of water from Gifford Lake or conveyance of the water via a pipe.
    - b. Threat: INPC groundwater consultants Randy Locke and Jim Miner, Illinois State Geological Survey, have both recommended the “piping” alternative.
    - c. Status: Ongoing. A meeting was held on March 29, 2010, with representatives of Bluff City Materials, Vulcan, and the FPDCC with INPC staff. The FPDCC staff approved the plan and may be able to sign the plan as permit applicant; otherwise, the FPDCC will need to approve a resolution to approve the plan at a formal board meeting.
  3. **Gladstone Fen NP, McHenry County – John Nelson**
    - a. Issue: Proposed residential subdivision on land adjacent to the NP.
    - b. Threat: Close proximity to the NP could have impacts to the groundwater resource that sustains the high quality fen wetland and sedge meadow at Gladstone Fen NP. The development property is 58 acres and is currently zoned for seven home parcels. The subdivision plan calls for 13 home sites with a conservation area adjoining the NP.
    - c. Status: Ongoing. On January 18, 2010, INPC staff testified at a combined meeting of the Bull Valley Village Board and Zoning Board.
  4. **Stone Bridge Reserve LWR, Winnebago County – John Nelson, Jenny Skufca**
    - a. Issue: The landowner of the LWR, Roscoe Township, installed an underground electric line through the LWR.
    - b. Threat: This is an unauthorized use that caused damage to the natural area, including potential damage to a state-listed species.
    - c. Status: Ongoing. No restoration plan or procedural agreement was received by INPC as requested. Roscoe Township’s attorney contacted the INPC on March 26, 2010, requesting assistance with the restoration plan. An on-site meeting will be scheduled with the INPC, NLI, and Roscoe Township representatives to discuss alternatives.
  5. **Eastern Prairie Fringed Orchid NP, Lake County – Steven Byers**
    - a. Issue: The Illinois Department of Transportation (IDOT) intends to widen Route 22. The proposal for dedication of this site provided for this construction, which includes construction of a berm in order to reduce the width of the road project.
    - b. Threat: Indirect threat posed by sedimentation and subsequent increase in reed canary grass, which threatens long-term viability of the federally-threatened orchid.
    - c. Status: Ongoing. INPC staff was asked to submit a letter to IDOT District 1 Engineer, Peter Harmet, requesting that IDOT purchase NP fee-title or establish a memorandum of understanding with the landowner that allows IDOT access to the site for monitoring and management.
  6. **Gensburg-Markham Prairie NP, Cook County – Steven Byers**
    - a. Issue: The Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) has developed a drainage plan for the Little Calumet River watershed.
    - b. Threat: The plan could unintentionally inundate portions of the NP.

- c. Status: New. INPC staff, Dr. Ron Panzer, and Mr. Karl Gnaedinger met with Deborah Shore, MWRDGC Commissioner, and Mr. Richard Lanyon, General Superintendent of MWRDGC and staff to review the threat. The Commission was asked to submit a letter to MWRDGC “flagging” the proposed project; outlining the threat posed to NP, and the natural resources put at risk.
7. **Skokie River NP, Lake County – Steven Byers**
- a. Issue: The Lake County Stormwater Management Commission commissioned a study to evaluate flooding in the Skokie River watershed and present options for reducing flooding damage.
  - b. Threat: One component of the project called for creation of large basins on property owned jointly by the Lake County Forest Preserve District and IDNR located adjacent to the NP and a site owned by the Village of Lake Bluff.
  - c. Status: New. The low cost/benefit ratio for creation of the large basins on the subject property does not justify the project. Other options for reducing flooding are being evaluated.
8. **Braidwood Dunes and Savanna NP, Will County – Kim Roman**
- a. Issue and Threat: Exelon Tritium release and remediation.
  - b. Status: Resolved. In 2005, the INPC and the Forest Preserve District of Will County (FPDWC) were made aware of a Tritium release from Exelon’s Braidwood station immediately adjacent to the NP. Tritium levels in the NP were elevated (relative to background levels), but did not exceed state drinking water standards, and would naturally attenuate over time. Other areas outside the NP had Tritium levels that exceeded state standards, and a remediation strategy (supervised by the IEPA) was required. The most feasible remediation strategy that was adopted was the pumping of nearby wells for approximately ten years to capture the Tritium plume in the groundwater. Groundwater modeling showed the draw of well water would pull water away from the NP (create a cone of depression) and potentially impact the high quality sedge meadow and wet prairie communities of the NP. Because of the risk of violating the Illinois Natural Areas Preservation Act, Exelon continued discussions with the FPDWC and INPC staff while closely monitoring groundwater levels in the NP and nearby wells. Exelon’s pumping is at a rate that pulls the Tritium onto their property, while being conscientious of maintaining water levels in the NP. Exelon had agreed to also fund management tasks in the NP to minimize or avoid impacts to the natural communities that might result from a temporary groundwater reduction. In March of 2010, a Consent Order between the IEPA, Illinois Attorney General’s Office, and Exelon was finalized. Part of the final settlement included a Supplemental Environmental Project (SEP) for the NP. Exelon provided payment of \$392,000 to the FPDWC to monitor the site and implement management/restoration. Tasks funded by the SEP include hydrological restoration by modifying small ditches, woody removal, invasive species control, native seeding, prescription fire, and ecological monitoring. The implementation of this aggressive management plan should abate potential impacts from a temporary groundwater reduction. Exelon anticipates pumping up to another five years before Tritium remediation is complete. To date, the actual data obtained from wells within the NP show no significant change in water levels at the NP. Staff of the FPDWC and INPC will continue to monitor the results of groundwater sampling for the duration of remediation.
9. **Meredosia Hill Prairie NP, Morgan County – Tom Lerczak, Jenny Skufca**
- a. Issue: The Illinois Rural Electric Cooperative (IREC) is installing new electrical lines and wants to place poles and lines within the NP.
  - b. Threat: The proposed three electric poles would cause direct damage to the prairie and interfere with site management.
  - c. Status: There are no current valid easements for utilities within this portion of the NP. IREC was provided information and maps to related boundaries of the NP. Since there are alternatives, such as moving to the other side of the street, staff denied the initial request.
10. **Prairie of the Rock Overlook LWR, Randolph County – Debbie Newman**
- a. Issue: Unknown persons have ridden ATVs all over the site below the hill prairie.
  - b. Threat: ATV damage throughout the site. In addition, a couple of INPC boundary signs were pulled out and tossed into the LWR.
  - c. Status: Ongoing. INPC is working with the landowner’s tenant farmer and Prairie du Rocher Police to eliminate the activity. The INPC will be purchasing a gate to prevent ATV entrance into the LWR.
11. **Salt Lick Point LWR, Monroe County – Debbie Newman**
- a. Issue: An individual bulldozed approximately one-fourth of an acre area across the LWR line.

- b. Threat: Encroachment in the LWR.
  - c. Status: Ongoing. INPC staff and a Conservation Police Officer are working with the neighbor to remedy the situation and prevent future incursions.
12. **DesPain Wetlands LWR, St. Clair County – Debbie Newman**
- a. Issue: A neighbor to the LWR had survey done and posted boundaries on the LWR, claiming an additional 30-50' as his property.
  - b. Threat: Encroachment in the LWR.
  - c. Status: Ongoing. INPC is working to bring the surveyors together.
13. **Stemler Cave NP, St. Clair County – Debbie Newman**
- a. Issue: Maintenance of a power line that goes across the top of the NP sinkhole.
  - b. Threat: Maintenance is causing some vegetation issues, including destructive cutting and spread of non-native invasive.
  - c. Status: Ongoing. Staff is working with the power company to possibly relocate the line. Monroe County Electric Coop is determining viability of alternatives and the INPC is waiting to hear from them.

## **V. Stewardship Program:**

- A. Illinois Prescribed Burn Manager Certification: The IDNR's Wildland Fire Task Force, a group Randy Heidorn co-chairs within IDNR, has been actively reviewing applications for certification. To date, over 50 applications have been processed and approved. Mr. Heidorn has also been working with IDNR's Systems and Licensing and Central Management Services staff to develop the database, card, and certificate graphics so that credentials can be issued.
- B. Stewardship Planning:
  - 1. Kelly Neal:
    - a. Reviewed six management schedules, two unscheduled management activities, and two management related CERPs at INPC sites.
    - b. Worked with IDNR's Systems and Licensing and Central Management Services staff to begin implementation of new INPC Special-Use Permit database.
    - c. Coordinated with IDNR's Office of Resource Conservation (ORC) staff to develop a plan for an integrated approach to streamline permit management between ORC and the INPC.
  - 2. John Nelson:
    - a. Met with landowner to discuss proper management and use of the Dolly-Kuetemeyer buffer addition to Boone Creek Fen NP. The owners agreed to restore an area of the NP which they had seeded with turf grass as an extension of the yard around their home.
    - b. Met with the Gramercy Park Foundation and Jo Daviess Conservation Foundation to discuss restoration plans for the NHL, which includes 2000 year old Indian mounds.
    - c. Provided management advice to landowners of Lowell Forest NP, Gladstone Fen NP, Boloria Fen and Sedge Meadow NP, Keough Effigy Mounds LWR, Pine Rock NP, Flora Prairie NP.
  - 3. Steven Byers:
    - a. Coordinated with CW partners to identify, evaluate, and respond to GLRI funding opportunities.
    - b. Met Tom Gargrave, IDNR Regional Forester, on a site to review stewardship at the Forested Fen owned by Fox River Country Day School.
  - 4. Kim Roman:
    - a. Participated in a meeting with the FPDCC, US Army Corps of Engineers, and USFWS to discuss hydrological and ecological restoration of Burnham Prairie NP.
    - b. Kim Roman and Bryan Eubanks participated in a meeting (led by Steven Byers) with the FPDCC and IDNR to discuss and plan the management needs of Wolf Road Prairie NP.
  - 5. Angella Moorehouse:
    - a. Met with the Henry County Natural Areas Guardians to discuss management issues at Munson Township Cemetery Prairie NP and Greenlee Cemetery Prairie NP.
    - b. Prepared management schedule updates for nine INPC sites.
    - c. Met with faculty from Black Hawk College, Western Illinois University and Rock Island County Soil and Water Conservation Service to discuss plans to implement a goat grazing project on Black Hawk College property to control bush honeysuckle. The project will also include a Grazing Conference to

- be held at Black Hawk College this summer. The goal is to obtain more knowledge on how to utilize goat grazing to control invasive plants and to rehabilitate native plant communities.
6. Tom Lerczak:
    - a. Began planning for additional sites (Hopewell Hill Prairies NP, Oak Bluff Savanna NP, and Crevecoeur NP) on the Hill Prairie State Wildlife Grant.
    - b. Completed GPS mapping of exotic species control area at Culp Conservancy Woods LWR.
    - c. Provided written management recommendations to the Pekin Park District for tree planting at Dirksen-McNaughton Woods LWR.
  7. Mary Kay Solecki:
    - a. Assessed management needs at Edgewood Farm LWR and Riverbend LWR.
    - b. Coordinated management schedule update for one LWR.
    - c. Prepared text for customized entrance sign at Carl Fliermans' River NP.
  8. Debbie Newman:
    - a. Updated/wrote management plans for five sites.
    - b. Continued working with volunteers and committee at Salt Lick Point LWR.
- C. Stewardship project implementation: Staff continued to coordinate and administer stewardship projects, including the Hill Prairie Project, funded by Landowners Incentive Program (LIP), State Wildlife Grant (SWG), the Wildlife Habitat Incentive Program, an EPA 319 Grant, the NAAF, and INPC operations fund. These projects involve meeting with landowners, securing landowner agreements, preparation of grant applications, preparing bid packages, supervising contractors, and assisting in conducting restoration activities. Contractor work included prairie reconstruction and seed purchase, exotics and woody species control, dump cleanup, erosion control, boundary survey, fence construction and sign posting, and prescribed burn site preparation and burn crews. Sites where this kind of work occurred include:
1. Area 1 (Nelson): Freeport Prairie NP, Kinnikinnick Creek NP, Pine Rock NP, and eight NP sites in the Boone Creek Watershed.
  2. Area 2 (Byers): Prepared and submitted three new projects.
  3. Area 3 (Kim Roman): Sweet Fern Savanna LWR, Goose Lake Prairie NP, Aroma Forest Preserve LWR, Long Run Seep NP.
  4. Area 4 (Moorehouse): Grubb Hollow Prairie NP, Geissler Savanna LWR, Brownlee Cemetery Prairie NP, Spring Grove Cemetery Prairie NP, Cecil White Prairie LWR, Stony Hills NP, Siloam Springs State Park (SP) and Jamar Haven LWR.
  5. Area 5 (Lerczak): Ridgetop Hill Prairie NP, Wiegand Prairie NHL, Dirksen-McNaughton Woods LWR, Walden West LWR and Illinois River Sand Areas LWR.
  6. Area 6 (Solecki): Loda Cemetery Prairie NP, prepared and submitted three new projects for Horseshoe Bottom NP, Doris Westfall Prairie Restoration NP, and Baber Woods NP.
  7. Area 7 (Newman): Continued administering 14 projects at INPC.
  8. Area 9 (Faulkner Dempsey): Ren-Dil Shale Glade NP, Degognia Canyon LWR, and Faulkner-Franke Pioneer Railroad Prairie NP.
- D. Land management conducted by staff:
1. John Nelson, Tom Lerczak, and Mary Kay Solecki provided INPC signs and/or posts to landowners of INPC sites.
  2. INPC Staff conducted prescribed burns at several sites including:
    - a. Area 1: Fifteen sites.
    - b. Area 2: Bluff Spring Fen NP, Boone Creek Fen NP, Gladstone Fen NP, Sterne's Fen NP, Wheeler Fen LWR, Queen Anne Prairie – Eckert Cemetery NHL, Hybernia NP, and Highmoor Park NP.
    - c. Area 3 (Roman & Eubanks): Short Pioneer Cemetery Prairie NP, Long Run Seep NP, Grant Creek Prairie NP, Des Plaines Dolomite Prairies LWR, Wilmington Shrub Prairie NP, Hildy Prairie NHL, Iroquois County State Fish & Wildlife Area (SFWA) LWR, Morris Wetlands, Silver Springs SP, and a private Will County Wildlife program property.
    - d. Area 4: Grubb Hollow Prairie NP.
    - e. Area 5 (Lerczak and Lovgren): Hopewell Hill Prairies NP, Crevecoeur NP, and Walden West LWR.
    - f. Area 6: Allerton Park INAI site, Iroquois County SWFA, and Unity East Elementary School Prairie Restoration.
    - g. Area 7: Ten sites.

- h. Area 8: Led or assisted with 50 prescribed burns totaling 2,639 acres. Beadles Barrens NP, Cretaceous Hills NP, Jasper County Prairie Chicken Sanctuary NP, Marion County Prairie Chicken Sanctuary NP, Lost Creek Marsh NP, Robert Ridgway Grasslands NP, Cedar/Draper's Bluff LWR, Horn Prairie Grove LWR, Karl Bartel Wildlife Sanctuary LWR, Padgett Pin Oak Woods LWR, P & E Refuge LWR, Prairie Ridge State Natural Area LWRs in Jasper and Marion counties, Ping Prairie at Huskey Hollow NHL, Beall Woods SP, Chauncey Marsh State Natural Area, Iroquois County SFWA, Pyramid SP, Stephen A. Forbes SP. Also assisted District Wildlife Biologist with a burn.
- 3. Additional invasive species control, restoration, and other management activities were conducted at several sites including:
  - a. Area 1: Harlem Hills NP (3 workdays), Gladstone Fen NP (4 workdays).
  - b. Area 2: Wolf Road Prairie NP, Trout Park NP, Hybernia NP and Bluff Spring Fen NP.
  - c. Area 3 (Roman & Eubanks): Goose Lake Prairie NP, Superior Street Prairie LWR, Sweet Fern Savanna LWR, Messenger Woods NP, Long Run Seep NP, Wolf Road Prairie NP, Grant Creek Prairie NP.
  - d. Area 6: Monticello's Sangamon River LWR, Jordan Creek of the Salt Fork NHL, Jasmine Hollow LWR, Loda Cemetery Prairie NP.
  - e. Area 7: Potato Hill NHL, Martha and Michelle Prairies LWR, and Salt Lick Point LWR.
  - f. Area 8: Beadles Barrens NP

# **EXHIBIT B**

**ILLINOIS DEPARTMENT OF NATURAL RESOURCES  
REPORT TO THE ILLINOIS NATURE PRESERVES COMMISSION**

**May 4, 2010**

**Prescribed Burning** - Natural Heritage completed a successful spring prescribed burn season. Heritage staff led 77 prescribed burns on nature preserves, land and water reserves and other natural areas. The burns covered more than 5000 acres.

The **State Wildlife Grant** awards were announced. 13 projects were funded, including stewardship of hill prairie preserves located on the Mississippi River bluff in southwestern Illinois, stewardship of DNR natural areas, acquisition of an addition to Apple River Canyon State Park in Jo Daviess Co. and funding for the Cache River coordinator.

**Natural Areas Evaluation Committee** – A significant change has been made to the INAI Standards and Guidelines to better define “open wooded” communities, which have previously been included under the Savanna class. Historically, the Savanna community class (subclass and community types) contained those communities that had a woody canopy coverage from 10 to 80%. This has caused perception conflicts when applying the Savanna class due to common cultural use of the term. With the recently approved changes, the Savanna class will now be termed the Savanna and Woodland class and will include both Woodland and Sand Woodland subclasses including representative community types. Flatwoods have been moved from the Forest class to the Savanna and Woodland class as floristically they more closely resemble those now defined as woodland. Communities contained in the Woodland Subclasses will include communities that have a canopy coverage of 50-90% while the communities in the Savanna Subclasses will have 10-50% canopy coverage. It is felt that these approved changes will result in a greater acceptance and more consistent application of the class and lead to more sites being recognized under these new Subclass and community type descriptions.

**Cave Closure** - DNR closed 6 state owned and managed caves that support bat populations as part of a national effort to slow the spread of white nose syndrome – a wildlife disease affecting bats in the northeast and Midwest. Five of the six caves are nature preserves or land and water reserves: Blackball Mines NP in LaSalle Co., Burton Cave NP in Adams Co., Brainerd Cave LWR in Jersey Co., Fogelpole Cave NP in Monroe Co., and Guthrie Cave LWR in Union Co. The closure is in effect until further notice.

**Invasive Species Awareness Month** – The Illinois Invasive Plant Species Council named May as Invasive Species Awareness Month. The Council is working in partnership with many conservation organizations and agencies in Illinois to promote awareness of the impact of invasive species on Illinois’ landscape. Invasive species are recognized as one of the leading threats to biodiversity and impose great costs to agriculture, forestry, fisheries and other enterprises as well as human health.

# **EXHIBIT C**





# ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

*One Natural Resources Way, Springfield, Illinois 62702 - 1271, (217) 785-8687; FAX (217) 785-2438*

## **Illinois Endangered Species Protection Board report for the May 4, 2010**

### **Illinois Nature Preserves Commission meeting** Submitted by Anne Mankowski, Director

The Board held a strategic planning meeting on February 18, 2010 to review its policy and operation manual and strategic plan. The Board held its 145<sup>th</sup> meeting on February 19, 2010, both at Midewin National Tallgrass Prairie, Wilmington, Illinois. Board actions and other items from the 145<sup>th</sup> meeting included:

#### **1. ESBP Member Appointments**

Since the last Commission meeting, two new members were appointed to the Board; Dr. Joyce Hofmann and Dr. Jeffery Walk. Dr. Hofmann filled a vacancy created by the 2008 resignation of Dr. Tom Nelson and Dr. Walk filled a vacancy created by the recent resignation of Dr. Jim Herkert. Additionally, reappointments were confirmed for three current members; Mr. R. Dan Gooch, Ms. Susanne Masi, and Dr. Mike Retzer.

#### **2. ESPB Budget**

The Board has been without a budget since 2002. The current IDNR-funded contract with the Illinois Natural History Survey that only covers the personnel services expenses to employ the Board's Director has been renewed for FY10 and paperwork has been begun for FY11, the final year of the agreement. The Board's revised FY11 budget request of \$118,900 (to fund an Executive Director staff position and travel reimbursement for Board members) remains as a line item in the IDNR budget request submitted to the Governor's Office of Management and Budget.

#### **3. Meetings and Publications**

- Ms. Mankowski represented the Board at the 55<sup>th</sup> Natural Areas Evaluation Committee meeting, April 27<sup>th</sup>, 2010 at IDNR Headquarters, Springfield.
- Ms. Mankowski represented the Board at a Sustainable Natural Areas Plan meeting hosted by the Illinois Natural Areas Inventory Update project, Champaign, Illinois, March 9, 2010.
- Ms. Mankowski prepared and submitted to *Erigenia* a draft paper reviewing the 2009 changes to the Illinois list of endangered and threatened plants. Dr. John Ebinger is listed as co-author since he was the lead in compiling plant data for the 2009 list revision.

#### **4. Coordination with IDNR and INPC:**

Ms. Mankowski coordinated with the Endangered Species Program ORC, Division of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, Office of Legal Counsel, Office of Public Services, Media Relations, and Illinois Nature Preserves Commission, on multiple matters, including:

- Assisted Mitch Cohen, IDNR Chief Legal Counsel, with preparation of information for an Illinois endangered and threatened species enforcement presentation he made to the Chicago Bar Association.
- Assisted IDNR and JCAR with IDNR proposed amendments to the Incidental Take Administrative Rule.

- Prepared proposed amendments to the IL E&T Animal List Administrative Rule (Part 1010) to correct listing and typographic errors; mudpuppy and black-billed cuckoo from endangered to threatened, and a few typographic corrections. It is on first notice with the comment period ending June 22, 2010.
- Assisted IDNR Legal with evaluation of possible take incident involving Franklin's Ground Squirrels near Springfield, Illinois.
- Continued working with IDNR to provide advice to USFWS about planned research for the ornate box turtle.
- Prepared ESPB annual budget explanation forms for IDNR submittal to the Illinois Legislature.
- Circulated for review a draft of the *Illinois Barn Owl Recovery Plan* prepared by the barn owl recovery plan team, with Dr. Jeff Walk as primary author. Continued project management of the SWG project supporting this work; submitted annual report to USFWS and quarterly report to IDNR and coordinated and tracked project activities.
- Reviewed and endorsed, relative to the ESPB E&T animal translocation policy, an IDNR translocation proposal for the Redspotted Sunfish (*Lepomis miniatus*).
- Provided guidance and advice, relative to the ESPB E&T animal translocation policy, to IDNR Fisheries staff in assisting the DuPage Forest Preserve District with preparation of a translocation proposal for glacial lake fish.
- Worked with Jody Shimp (Natural Heritage Regional Administrator) to develop presentation materials for the Illinois Wildlife Action Team to consider supporting inclusion of plants in the Illinois Wildlife Action Plan. Ms. Mankowski represents the Board as a member of the Illinois Wildlife Action Team and will present the information, with Jody Shimp, at the May 26, 2010 meeting.
- Reviewed and provided comment on four incidental take authorization conservation plans during the last quarter.
- In coordination with John Marshall, IDNR website and IT Support staff, updated information to the ESPB webpage and assisted IDNR in initiating changes for an upcoming update to the entire IDNR website.
- Provided support to IDNR by job shadowing two students from Pleasant Plains High School on March 30, 2010.
- Provided support to Kathy Andrews, IDNR Outdoor Illinois Magazine editor, by reviewing two draft articles; piping plover and ornate box turtle.
- Directly responded to 52 requests for ESPB and E&T information from the public and other state and federal agencies.

## **5. Coordination with other Agencies**

- Ms. Mankowski continues working with the USFWS Rock Island Field Office, IDNR, and several other partners and prepared a second draft of a Decurrent False Aster (*Boltonia decurrens* – federally and IL threatened) Conservation Agreement for Managed Lands in the Illinois River and Mississippi River Floodplains.
- Ms. Mankowski coordinated between several researchers and INPC staff (Kim Roman, Preservation Specialist) and prepared an INPC special project proposal for returning to Momence Wetlands Nature Preserve plant of *Styrax americana* (Storax or American Snowbell) that had been propagated from seed collected at the site several years ago (see Species Updates). Ms. Mankowski and Ms. Roman also continue working on a recovery

outline for *Platanthera ciliaris* (Orange Fringed Orchid).

- Ms. Mankowski consulted with USFWS and MDC to prepare for IDNR a summary of listing and legal effects of USFWS treating as threatened the shovelnose sturgeon in waters co-occupied with the pallid sturgeon.
- Ms. Mankowski completed USFWS training for Federal Aid Project Management; annual HAZMAT refresher training; and, annual Wildland Firefighter Type 2 red card refresher and pack test.
- Ms. Mankowski assisted staff at the Joint Committee on Administrative Review with IDNR proposed amendments to the Incidental Take Administrative Rule.

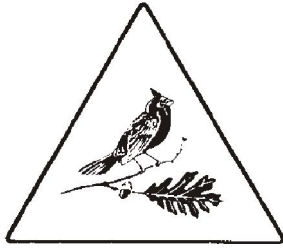
## **6. Field Work**

- Ms. Mankowski assisted Mark Phipps (Natural Heritage Biologist), 20-acre prescribed burn near Farmersville, Montgomery Co.
- Ms. Mankowski assisted Scott Simpson and Terry Esker (Natural Heritage, Site Superintendent and Natural Heritage Biologist, respectively), 7 prescribed burns totaling 150 acres at Prairie Ridge State Natural Area, Marion Co.
- Ms. Mankowski assisted Bob Lindsay (Natural Heritage Biologist), 110-acre prescribed burn at Cypress Pond and 230-acre prescribed burn at Cedar Bluff Nature Preserve in Johnson Co.

## **7. 146<sup>th</sup> meeting of the Illinois Endangered Species Protection Board**

The 146<sup>th</sup> meeting of the Illinois Endangered Species Protection Board will be at 10:00 A.M. on May 14 at Midewin National Tallgrass Prairie.

# **EXHIBIT D**



Illinois  
Nature  
Preserves  
Commission

memorandum

To: Commissioners

From: Jenny Skufca, Kelly Neal, and Randy Heidorn

Date: April 23, 2010

Subject: Staff recommendation regarding Item 21 – a proposal submitted by the Illinois Department of Natural Resources for approval to resurface, replace culverts, and add catch basins and rip-rap along the Mississippi Palisades State Park roadway adjacent to and within Sentinel Nature Preserve, Carroll County.

Background:

Sentinel Nature Preserve was dedicated June 7, 1991, as the 200<sup>th</sup> Illinois nature preserve. The 48.4-acre Nature Preserve, owned by the Illinois Department of Natural Resources (IDNR), is recognized on the Illinois Natural Areas Inventory (#0410) due to the presence of several natural communities characteristic of the Wisconsin Driftless Natural Division, as well as several endangered and threatened plants and animals. The Nature Preserve lies within Mississippi Palisades State Park and protects mesic and dry-mesic upland forest, a loess hill prairie, a cave and small sinkhole, and towering dolomite cliffs and outcrops. In 1973, the U.S. Department of Interior recognized the southern portion of the park, including the Nature Preserve, as a National Natural Landmark because of its unique geological and floristic nature.

Proposal:

The IDNR is requesting approval to complete the Pine Knob Road section of a multi-phase road project within the State Park which began approximately six years ago. A portion of the road work occurs adjacent to and within Sentinel Nature Preserve. The project will include road rehabilitation, three culvert replacements, and one catch basin placement within the Nature Preserve boundary. The culverts require rip-rap aprons at the outflows to prevent erosion and decrease scouring within the Nature Preserve.

The road and culverts are in disrepair due to age and use. Culvert and catch basin placement will improve the efficiency of moving water under the road to protect the road infrastructure. The culverts will pass water under the roadway to facilitate drainage. The catch basins are

designed to act like a sieve above an entrance to a culvert to stop debris that could block flow. The addition of a catch basin will maximize the efficiency of the culvert at that location. Rip-rap, made up of broken stones loosely deposited in water or on a soft bottom, provides a foundation and protects a stream bed or bank from scour.

The following are the locations of impact to Sentinel Nature Preserve. Project parameters are described according to specifications on plan sheets (culverts are presented in the order found in the IDNR proposal to the INPC dated April 9, 2010, refer to proposal map for locations):

1. Culvert A requires replacement of a 48" x 57' pipe culvert with a 48" x 48' pipe culvert discharging to a 14' wide x 45' long rip-rap apron. The culvert in place extends 24' into the Nature Preserve. The new culvert will be decreased in length. Rip-rap placement will enhance erosion protection.
2. Culvert B requires replacement of one-96" x 63' pipe culvert with two-72" x 66' concrete culverts discharging to a 22' wide x 60' long rip-rap apron. The culvert in place extends 6' into the Nature Preserve. The new culverts will require a wider and slightly longer area of impact than currently exists. The footprint expansion is due to the lack of availability of concrete culverts of the current size. The waterway opening will be equivalent. The use of concrete will increase the useful life for the infrastructure. Erosion is currently a problem at this culvert revealed by a pronounced plunge pool and scouring. The rip-rap diffusion field at the outflow will ameliorate the erosion.
3. Culvert C requires replacement of 15" x 26' pipe culvert with a 15" x 16' pipe culvert with associated 5' wide x 30' long rip-rap field. The current culvert is full of dirt and non-functional.
4. Catch Basin – no catch basin currently exists in this location. The catch basin proposed will lie approximately 3' within the Nature Preserve boundary to facilitate water movement through the culvert.

The proposed road, culvert and catch basin work will require the removal of five trees greater than 4" dbh (diameter at breast height) within Sentinel Nature Preserve. INPC staff participated in a site visit and determined that the trees to be removed were not of significant quality.

#### Legal Authorities and Responsibilities:

The Rules for Management of Illinois Nature Preserves (17 Ill. Adm. Code 4000) states under Section 4000.460, Erosion Control, that "...Erosion and soil deposition due to past or present disturbance by humans of natural conditions within or outside of the preserve may be controlled in accordance with the master plan or management schedule."

Under Section 4000.160, Approval of Specific Management Activities, it states that "Management activities otherwise prohibited under the rules or an approved master plan may

be approved by the Commission upon written request of the owner...If the Commission determines that the proposed activity will enhance the natural features of the preserve, consistent with the proposal for dedication, the Commission shall approve the request.”

Analysis:

The heavily used roads at Mississippi Palisades State Park require maintenance. Culverts eventually succumb to disrepair and sediment accumulation. It is understood as standard practice that the addition of catch basins enhances the efficiency of the culverts. The road and its culverts were existing at the time of dedication of Sentinel Nature Preserve.

No significant features for which Sentinel Nature Preserve was dedicated will be adversely impacted by the road project. The proposed culverts, catch basin, and rip-rap will in concert minimize erosion resulting from the park road.

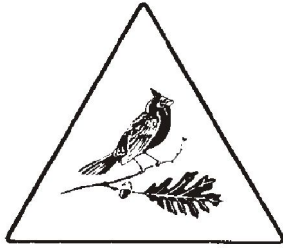
Staff Recommendation:

INPC staff recommends that the IDNR’s request to conduct road rehabilitation, culvert replacement, and catch basin and rip-rap placement be approved with the following stipulations:

- Extreme caution shall be exercised within Sentinel Nature Preserve,
- No state-endangered or threatened species shall be impacted,
- All heavy equipment shall be power-washed to remove invasive seeds,
- Only native stone shall be used for rip-rap,
- No recycled concrete shall be used for rip-rap,
- All three culvert rip-rap diffusion fields shall be reduced in length by approximately 50% as specified in the IDNR’s proposal,
- No high quality trees of a size greater than 4” dbh shall be removed,
- Seeding specifications shall be approved by INPC’s Natural Areas Preservation Specialist (NAPS) John Nelson and IDNR’s District Heritage Biologist (DHB) Ed Anderson and shall include shade-tolerant native species,
- The NAPS and DHB shall be notified of pre-construction meetings.

# **EXHIBIT E**





Illinois  
Nature  
Preserves  
Commission

memorandum

To: Commissioners

From: Jenny Skufca, Kelly Neal, and Randy Heidorn

Date: April 23, 2010

Subject: Staff recommendation regarding Item 22 - a proposal submitted by the Village of Valmeyer for approval to change surface features at Salt Lick Point Land and Water Reserve, Monroe County, to alleviate water drainage which is causing damage at the subsurface level.

Background:

Salt Lick Point Land and Water Reserve (SLPLWR) was registered March 9, 2005, with a subsequent addition in 2008, as the 118<sup>th</sup> land and water reserve. The 594.48-acre site, owned by the Village of Valmeyer (Village), is recognized on the Illinois Natural Areas Inventory (#0201). The site consists of grade A, B, and C loess hill prairie; grade A and B limestone glade; grade A limestone cliff community; grade C dry and dry-mesic upland forest; several state-threatened and endangered species; and a large forested block for forest-interior birds. Subsurface rights were excluded from SLPLWR. The subsurface, an abandoned limestone mine also known as Rock City, is also owned by the Village. The area is leased to Admiral Parkway, Inc., a development company, and is used as rental space by the National Archives Records Center for storage of military personnel records, and other uses.

The Village acquired this part of the property included in SLPLWR with Open Space, Land Acquisition, and Development (OSLAD) grant funds through the Illinois Department of Natural Resources (IDNR). Per the OSLAD Project Agreement signed March 1, 1995, "No portion of the project property may be traded, sold or otherwise exchanged, nor converted from outdoor recreation use, without the prior written approval of the Illinois Department of Conservation [now Natural Resources]." On June 1, 2001, the Village conveyed the underground mine area and the surface rights above to Admiral Parkway, Inc. via a Warranty Deed. At the same time Admiral Parkway, Inc. conveyed a Deed of Conservation Easement and Timbering Rights back to the Village. In the easement, Admiral Parkway, Inc. allowed the Village to conserve the surface resources, but also built-in Reserved Rights for Admiral Parkway, Inc, which included their ability "...to take any action or make any alteration

necessary to ...ii) preserve the safety of persons or property, on the surface, in the Caverns, or otherwise...” Apparently due to concern that this transfer would not be in compliance with the OSLAD agreement, a second Warranty Deed dated August 19, 2002, conveying and warranting the real estate back to the Village was executed. Under the Permitted Exceptions in the 2002 Warranty Deed, Admiral Parkway, Inc. made the transfer of the property subject to the Reserved Rights of the aforementioned Deed of Conservation Easement. A lease executed between the Village and Admiral Parkway, Inc. also specifically recognizes these reserved rights.

The Village has indicated that water is leaking into the cavern and is causing damage to stored records. By some estimates, the land surface within SLPLWR has more than 30 holes, some the size of a garage, which appear to be ventilation air shafts since they pass through to the mine; others, the size of a five-gallon bucket, may or may not be associated with the blasting. The registration proposal stated that the Village was “...reserving the right to be able to access and maintain the air shafts on site, in a manner not inconsistent with the reserve...” The landowner reserved this right because “...continued ventilation may be an important component to the storage facility below...” The Registration Agreement allows for an exception in the legal description “...with the right of access consistent with this conservation easement across said tract for the purpose of maintenance and management of all ventilation air shafts.” The Registration Agreement did not address issues related to control of water leakage into the underground areas. The holes and fractures that are now allowing water to pass to the subsurface level may or may not be related to the ventilation air shafts noted in the Registration Agreement.

#### Proposal:

To stop water drainage at the subsurface level and for safety, the Village is requesting permission to fill one hole (14” x 19”), and to build five small earthen berms and pipe systems to direct water downslope to a stream in the valley. All work will occur within SLPLWR.

The areas identified for surface alterations are leaking water through the natural limestone ceiling directly onto the National Archives records. The proposed repairs to Area 3 (as shown on the Village’s proposal to the INPC) are planned in anticipation of future expansion of the National Archives Records Center in Rock City.

The hole would be filled by creating a bottom with rebar and filling it with concrete or expandable foam. The five small earthen berms would be built with native material (rock and dirt) from SLPLWR. The berm placements would act as water control basins along intermittent tributaries to create small ponding areas from which an inlet riser pipe would collect the water during storm events and then connect with an outlet pipe moving the water to the stream below. Erosion control fabric would be placed over each earthen berm. The berms would be built by hand in two locations. The use of a mini-excavator would be necessary for three of the berms. The outlet pipe for each water control basin would be buried to deter chewing by rodents and prevent issues during management activities at SLPLWR.

#### Legal Authorities and Responsibilities:

In the rules establishing the Register of Land and Water Reserves (17 Ill. Adm. Code 4010), Section 4010.210 states, “The registration agreement shall be the prevailing authority with respect to allowable use and management of a registered land and water reserve. A management program, as provided for in Section 4010.220, may allow for deviations from this Part if the deviations do not threaten the natural features or natural quality of the area. Deviations necessary to accommodate existing legal encumbrances on the property may also be allowed.”

Under Section 4010.270, “Management and uses not otherwise allowed by this Part may be specifically approved by the Department [of Natural Resources] and the Commission where the management or use is consistent with the management program or for the purposes of restoring a high quality natural community (a plant and animal assemblage that existed in Illinois at the time of settlement by immigrants from Europe), enhancing populations of threatened or endangered species, or enhancing the opportunity for scientific research.”

Under Section 4010.240(a), “...grading of areas supporting natural vegetation or a natural community (a plant and animal assemblage that existed in Illinois at the time of settlement by immigrants from Europe) is prohibited in registered land and water reserves.”

Section 4010.230 (a) specifically allows that “Management activities allowed on Illinois Nature Preserves under the Rules for Management of Illinois Nature Preserves, 17 Ill. Adm. Code 4000.415 through 4000.475, are allowed on registered land and water reserves.”

In the Rules for Management of Nature Preserves (17 Ill. Adm. Code 4000), under Section 4000.440 of said rule, “Natural water levels shall not be altered. Water levels which have been altered by artificial means...may be changed if identified in the master plan or management schedule as essential for the maintenance and restoration of natural conditions or to protect significant or notable features.”

Finally, under Section 4000.460, it states that “...Erosion and soil deposition due to past or present disturbance by humans of natural conditions within or outside of the preserve may be controlled in accordance with the master plan or management schedule.”

The Commissioners are authorized to approve this proposal based on their general authority with regard to approving management in land and water reserves (4010.220 and 4010.270), or the authority to address erosion or hydrology in land and water reserves (4000.440 and 4000.460).

#### Analysis:

Enough uncertainty remains about the validity of rights Admiral Parkway, Inc. acquired or did not acquire to these lands funded by OSLAD that INPC staff believes Commission approval is required for this action.

The protected natural communities and their associated species above the mine are of high ecological importance and require sensitivity. In the short term, though not mandated by the

Registration Agreement, addressing the immediate drainage problem seems consistent and in the spirit with the previous agreement to address maintenance of the air shafts. If this can be done without adversely impacting the ecological resources, the project should proceed.

However, limestone fractures naturally. This fix may only be temporary as natural processes continue. This substrate does not provide a secure, water-tight ceiling for items requiring dry conditions. The Village and Admiral Parkway, Inc. should investigate a more permanent subsurface solution to address their need for dry areas in the cavern. Water drainage into Rock City will likely be ongoing, and a long-term strategy that does not require damage to the natural resource is vital.

This project was submitted to IDNR Consultation on April 12, 2010, for review. Consultation staff has determined that more information is necessary and has requested details about erosion control, alternatives considered, best management practices planned, measures to avoid impact to state-listed species, and detailed site engineering or construction plans. INPC staff agrees with Consultation's requests and believes that Consultation's approval (through termination) will only enhance this project on lands of such statewide significance.

Staff Recommendation:

INPC staff recommends approval of the Village's proposal to change surface drainage at SLPLWR contingent upon the successful termination of IDNR's Consultation process and receipt of an Incidental Take Authorization, if deemed necessary. Staff also recommends that all actions on the ground at SLPLWR be undertaken only with the oversight of INPC's Natural Areas Preservation Specialist Debbie Newman. An approval by the Commission to complete the work proposed currently should not be construed as precedent for further surface alterations to SLPLWR. Taking into account the various interests of all parties, including the protection of assets in storage below SLPLWR, INPC staff recommends that the Village and Admiral Parkway, Inc. conduct a meeting between geologists, engineers, and lessees to discuss options for the long term sustainability of dry storage within the caverns.